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**Exhibit 21**

**United Progressives for Victory Press and Media.**

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**"The New Nader Raiders" Latest FEC Reports Show More Evidence of GOP Support to Nader As Progressives Desert Nader, Right-Wing Aid Proves Crucial in States Where Independent Candidates Could Act As Spoils October 28, 2004**

WASHINGTON -- Ralph Nader has received more than \$125,000 from GOP donors and consultants, including \$11,250 from donors Veterans for Truth a larger figure than previously reported, United Progressives for Victory said today.

UPforVictory.com's latest research draws on press reports and Federal Election Commission [FEC] filings and excludes unreported contributions made by the GOP in circulating and defending Nader's ballot petitions in many states. In particular, the report shows:

- **Swift Boat Veterans for Nader?** Eight donors to the infamous Swift Boat Veterans for Truth 527, who have given \$31,000 Kerry's military service, have also given Nader \$11,250. [FEC]
- **Right-Wing, Corporate Support.** Five of the largest donors to the Club for Growth, a right-wing, anti-government, anti-tax targeted moderate Republicans, have given \$7,500 to Nader. They have given \$450,000 to the Club for Growth in the past 1 cycles. Seven contributors to the Pro-Growth Action Team, another right-wing PAC, have given Nader \$7,000. [FEC]
- **Bush-Nader: GOP-Funded Ballot Efforts**

In Nevada, Republican operative Steve Wark raised \$30,000 for Choices for America, a group that paid for signatur Nader's ballot effort in Nevada. [Las Vegas Review Journal, 8/25/04]

In New Hampshire, Republican consultant David Carney, his wife and his business associates donated \$6,000 in in- to Nader to cover the cost of petition gathering that Carney initiated on Nader's behalf. That makes Carney, the form in George H.W. Bush's White House, responsible for 3 out of every 5 dollars that Nader raised in the Granite State. In Michigan, the Republican party made a \$3,400 in-kind contribution to Nader to help his petition-gathering; Nader ballot there after the Republicans turned in 46,000 signatures for him and went to court for him. [FEC]

- **The New Nader Raiders.** Nader has received \$20,000 from just seven millionsaire couples who are major GOP contributors Jack and Laura Dangermond who gave Nader \$2,000 apiece and \$25,000 to the National Republican Congression: [FEC]  
Jeno Paulucci and his wife Lois, who have given Nader \$2,000 each and \$150,000 to GOP causes since 2000. [FE  
Richard and Pamela Egan, who raised \$200,000 for Bush's Inaugural and gave \$2,000 each to Nader. [FEC]  
Thomas and Catherine Walkey, who gave Nader \$2,000 each and this election alone have given more than \$50,00 campaign and GOP groups. [FEC]

**Right-Wing Support Comes as Progressives Abandon Nader**

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Pro-Bush individuals, operatives and groups have made a blatant effort to boost Nader's candidacy in battleground states to underr candidacy. That support has been crucial, given that Nader's longtime progressive supporters have abandoned him in 2004. Consider

- Winona LaDuke, Nader's 1998 and 2000 running mate, has endorsed Kerry
- Nearly 80 "Nader Raiders" and former Nader associates released a statement opposing Nader's candidacy last week and a battleground states against him.
- More than 70 members of Nader's 2000 Citizens Committee, including Noam Chomsky, Michael Moore and Susan Sarandon swing state voters to support Kerry.
- More than 50 peace and anti-Iraq war leaders have released a letter opposing Nader's candidacy.
- More than two dozen women's issues leaders, including feminist Gloria Steinem and the past and current presidents of NOW oppose Nader's presidential bid.
- More than 30 national and state health care advocates have said they oppose Nader's candidacy.
- Progressive leaders in swing states including Wisconsin, Oregon, Minnesota, Nevada and Colorado have spoken out against candidacy in those states. [See [www.upforvictory.com](http://www.upforvictory.com) for these statements]
- The Green Party chose not to nominate Nader to its ticket, as it had in 2000. The consumer advocate then turned to the Reform espouses anti-immigrant policies and was represented four years ago by arch-conservative Pat Buchanan. The Reform Party called for the death penalty for abortion providers, vote for Bush in 2000 and told a Pittsburgh newspaper, "I'm doing everything sure John Kerry never gets around the White House."

#### Swing State Polls Suggest Nader Could Play Spoiler Role

Not only has Nader abandoned by progressive leaders his backing at the grassroots level has also declined over the course of the 2 polling done by Democrat Stan Greenberg, Nader's support in battleground states has declined from 3 percent this summer to 1.5 p according to The Washington Post. Nevertheless, the polls also suggest that, with the race between George W. Bush and John Ker in key battleground states, Nader is still poised to play the role of spoiler and could hand to Bush another four years in the White Ho

- Nationally, the Zogby poll shows Bush and Kerry tied at 45% apiece, with Nader getting 2%. [Reuters/Zogby poll of 1,232 lik conducted 10/10-10/12, margin of error  $\pm$  2.9%]
- In Florida, where Nader was represented in court by Ken Sukhrie, one of Bush's 2000 recount lawyers, a recent poll placed E at 48% and Nader at 2%. [Research 2000/South Florida Sun-Sentinel poll of 600 likely voters, conducted 10/16-10/21, marg
- In Nevada, where GOP consultant Steven Wark raised thousands of dollars to gather signatures for Nader, a recent poll sh Kerry at 47%, and Nader at 1%. [Research 2000 poll of 600 likely voters conducted 10/19-10/21, margin of error  $\pm$  4%]
- In Iowa, where volunteers gathered signatures for Nader's ballot access from people leaving a Bush campaign rally, Bush is Kerry at 47%, and Nader at 2%. [American Research Group poll of 600 likely voters conducted 10/10-10/12, margin of error
- In Wisconsin, where the right-wing Citizens for a Sound Economy promoted Nader's bid, a recent poll had Bush and Kerry t with Nader taking 2 percent. [American Research Group poll of 600 likely voters, conducted 10/16-10/19, margin of error  $\pm$  4
- In New Mexico, where individuals gathered signatures for Nader and said they did so in order to help re-elect Bush, Kerry at statistical dead heat, with Nader taking 1 percent. [American Research Group poll of 600 likely voters, conducted 10/16-10/ of  $\pm$  4%]

#### Republicans: Helping Nader will Help Bush

Nader has said that the Republican aid he has received comes from those who are genuinely supporting his candidacy. Republicans disagree. Veteran GOP Strategist Bill Whalen rejected the notion that Nader's GOP donors are helping out of simple friendship. "You your activists to get out there and help Ralph run" because of the effects he had on the 2000 election. "Do the math," Whalen said. [Chronicle, 7/9/04]

Arkansas State House Republican Leader, Michael Lamoureux:

"My goal is to help President Bush win the election, and this is a small part I can play to help him win Arkansas," Lamoureux of Rust "Having Ralph Nader on the ballot will improve President Bush's chances of winning Arkansas." [Arkansas Democrat-Gazette, 8/20/

Colorado Republican Party Chairman, Ted Halaby:

"If he [Nader] has any impact, it is more detrimental to Democrats than Republicans, given the name identification and his liberal phi Post, 5/13/04]

**Iowa Nader Signature Collectors:**

"We're trying to help President Bush by getting Ralph Nader on the ballot," said one of the volunteers, who refused to identify the group they were with. [Associated Press, 8/10/04]

**Iowa GOP Executive Director, Gentry Collins:**

"It sure wouldn't hurt." Collins, when asked if having Nader on the ballot would help Bush in Iowa. [Associated Press, 8/10/04]

**Michigan GOP Executive Director, Greg McNeilly:**

McNeilly urged party activists by e-mail to help get Nader on the ballot, saying it's his "fervent hope" that Nader would siphon votes f Tampa Tribune, 7/15/04]

**Nevada GOP Consultant, Steve Wark:**

"I would hope so. I didn't do it for my own health."— Wark, who formed a political committee to raise money to help Nader qualify for when asked by the Associated Press if he thought Nader would make the difference in Nevada for Bush [The Tampa Tribune, 7/15/

**Nevada Signature Gatherer, Stu Richardson:**

"Please join me in this gallant effort to give our President the best chance possible of winning in November" in an email to other part Vegas Sun, 7/12/04]

**New Hampshire Nader Signature Collectors:**

"Excuse me sir/mias etc. I was wondering if you could take a second to help President Bush?" script used by signature collectors for rally. The script also instructed workers, who were hired by a GOP consultant, to tell people, "Without Nader, Bush would not be pre dodge questions about who was paying them. [Associated Press, 8/7/04]

**New Mexico Nader Signature Gatherers:**

"He said he was a Bush supporter, that this was his job, gathering signatures for Nader." Melissa Corrigan, University of New Mexic signature gatherer on campus. [Albuquerque Tribune Online, 8/12/04]

**Oregon Nader Signature Gatherers:**

CBS affiliate KTVL interviewed a signature-gatherer who admitted on air that his crew was hired by the Republican National Commit Nader signatures and that he was asking signers to "help re-elect President Bush." [The Oregonian, 8/21/2004]

**Oregon Family Council Worker, Tim Nashif:**

"We'd like to take a few votes away from John Kerry if it would be possible.-Y? Tim Nashif of Oregon Family Council, an organizatio making hundreds of phone calls to members urging them to help get Nader on the ballot [OregonLive.com, 8/25/04]

**Citizens for a Sound Economy President and CEO, Matt Kibbe:**

"We saw it as an obvious opportunity to split the liberal base in a swing state." [ABCNews.com, 7/25/04]

**Wisconsin state director for Citizens for a Sound Economy, Cameron Shoky:**

"We'll definitely be spreading the word that we'd like to see Nader on the ballot." Cameron Shoky of Citizens for a Sound Economy, antitax group. [New York Times, 7/1/04]

**Former Wisconsin Nader Supporters Call on Remaining Nader Voters to Abandon his Candidacy & to Unite Aga October 28, 2004**

OSHKOSH, WI – Former Wisconsin Ralph Nader supporters called on voters who are still supporting Nader to abandon his campaign effort to defeat George W. Bush, United Progressives for Victory (UPforVictory.com) announced today. According to recent surveys Kerry are locked in a dead heat in Wisconsin.

"Under George W. Bush, Wisconsin families cannot pay for their health care, students are priced out of college, and workers are los election is too critical to cast a protest vote for Ralph Nader. I supported Nader in 2000, but I will not vote for him this election becau

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Wisconsin cannot afford four more years of Bush," said Austin King, an Alderman from Madison and a former Nader 2000 voter and traveled to Oshkosh to encourage voters to unite against Bush.

Nader, who is campaigning in battleground states, including Wisconsin, where he will appear today in Oshkosh and Green Bay, has by activists and grassroots supporters. For example:

- More than 75 original "Nader's Raiders" and close associates publicly denounced Ralph Nader's presidential bid last week against him in battleground states. Print advertisements began running today in Madison, WI. (View the NADER'S RAIDER: PRINT AD)
- Leaders in Wisconsin, such as former U.S. Senator Gaylord Nelson, the mayor of Madison, student activists, environmental current Attorney General, have signed a public statement urging Nader voters to oppose his candidacy. Others in Washington Minnesota and Colorado, have signed similar letters. (READ THE WISCONSIN LETTER ONLINE)
- More than 50 peace and anti-Iraq war activists have released a letter opposing Nader's candidacy.
- More than 70 of his 2000 campaign's leading supporters, including Noam Chomsky, Michael Moore, and Cornel West, have voters to support Kerry.
- More than two dozen women's issues leaders and 30 national and state health care advocates have publicly said they oppose presidential run.

On the other hand, Republican supporters and major GOP and right-wing operatives have assisted Nader in his efforts to run for P in order to split the progressive vote and help re-elect Bush. For example:

- Eight major donors who have given \$31,000 to Swift Boat Veterans for Truth to air attack ads on John Kerry's military service given Nader more than \$11,000. Nader has also accepted contributions from conservative PAC donors who have given to archconservative Club for Growth.
- Nader's campaign has received legal representation from lawyers who represented Bush in the 2000 Florida recount assistance from a Republican consultant in Nevada, conservative, right wing organizations in Oregon, the Michigan state party collected 45,000 signatures for his effort.
- Altogether, Nader has accepted over \$125,000 in cash and known in-kind contributions by GOP donors and consultants. The unreported in-kind contributions made by the GOP in circulating his ballot petitions in many states.

UPforVictory.com includes progressives who have worked with Nader in the past and leaders with years of experience working on peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice. For more information about the organization, see the rest of this site.

**UPforVictory.com Calls on Remaining Nader Voters to Abandon his Candidacy & Join Progressives Working to October 21, 2004**

**TAMPA, FL** — One day after more than 75 original "Nader's Raiders" and close associates publicly denounced Ralph Nader's presidential bid, Progressives for Victory (UPforVictory.com) called on all potential Nader voters to join progressives who are working to defeat George W. Bush. According to recent surveys, Bush and John Kerry are locked in a dead heat in Florida, with Nader polling at 1%.

"Progressives in Florida and across the country are united and determined to take back our country from the right-wing special interest George Bush on November 2nd is the first step in moving forward a progressive agenda. Voting for Ralph Nader will not achieve our goal," said Sarah Capps, UPforVictory.com Florida's grassroots coordinator.

Nader, who has been abandoned by progressive leaders, activists, and grassroots supporters, is campaigning in battleground states where he will appear today in St. Petersburg. Nader's insistence he is the real choice for progressives has been undermined by a series of public statements by progressive leaders. In addition to Nader's Raiders opposing Nader's candidacy:

- More than 50 peace and anti-Iraq war activists have released a letter opposing Nader's candidacy.
- More than 70 of his 2000 campaign's leading supporters, including Noam Chomsky, Michael Moore, and Cornel West, have voters to support Kerry.
- Winona LaDuke, Nader's 1996 and 2000 running mate, has endorsed Kerry.

- More than two dozen women's issues leaders and 30 national and state health care advocates have publicly said they oppose Nader's presidential run.
- Progressive leaders in swing states, such as Wisconsin, Washington State, Minnesota and Colorado, have signed public letters urging Nader voters to oppose his candidacy.
- Green Party members have organized against Nader.

Progressives have warned Nader that his presidential run would help re-elect George Bush. Republicans agree and major supporters and right-wing operatives, in a cynical attempt to divide the progressive vote, have assisted Nader in his efforts to run for President this year.

- Five major donors who have given \$13,500 to Swift Boat Veterans for Truth to air attack ads on John Kerry's military service to Nader \$8,000. Travis Anderson (NJ), Brian Plicher (CA) and Donald Burns (FL), are three of Nader's largest donors and each gave \$2,000 (the maximum allowable contribution), while also contributing to Swift Boat Veterans for Truth. Nader himself has co-run by this 527, saying, "It's pretty deplorable that Bush through his proxies is doing this smear," Nader said. (8/27/2004, A.F. Tulane University)
- Nader has accepted contributions from conservative PAC donors who have given to the archconservative Club for Growth.
- Nader's campaign has received legal representation from lawyers who represented Bush in the 2000 Florida recount and the assistance from a Republican consultant in Nevada, conservative, right wing organizations in Oregon, the Michigan state party collected 45,000 signatures for his effort.
- Altogether, Nader has accepted over \$100,000 in cash and known in-kind contributions by GOP donors and consultants. The unreported in-kind contributions made by the GOP in circulating his ballot petitions in many states.

UPforVictory.com includes progressives who have worked with Nader in the past and leaders with years of experience working on public issues including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice. For more information about the organization, please see the rest of this site.

**"NO ON NADER": More than 75 Former Nader Associates Release Letter Opposing Nader Candidacy**  
**Nader's Raiders Announce Effort Targeting Swing State Voters**  
 October 20, 2004

More than 75 former Nader's Raiders and Nader associates today announced an effort opposing Ralph Nader's 2004 candidacy. The letter to voters urging them not to support Nader, and said it would conduct a campaign of press outreach and ads in battleground states that may act as a spoiler in the election outcome.

In its letter to voters, the group said, "This November, none of us will vote for Ralph. We believe there is nothing more important than electing W. Bush."

The letter's signatories have worked with Nader in public interest advocacy, some for as long as 35 years, and many supported Nader's 2000 campaign.

They said in their statement: "We know Ralph Nader better than anyone else. We were inspired to public service by his vision and his integrity. We are disappointed and saddened to see him embrace the support of reactionary forces who oppose everything we and Ralph have stood for. His real agenda is to reelect George Bush."

"I supported Ralph in 2000 because he was building an alternative to corporate business as usual: the Green Party," said Ken Ward, who signed the letter and has served as Executive Director of Rhode Island PIRG and New Jersey PIRG. "This year, sadly, he is willingly aligning himself with right-wingers and offers nothing that's worth the risk of another four year of Bush."

"Those of us who worked for Ralph in the early years are committed to public interest. Many of the victories we have won and the issues we are working on will be jeopardized by a second Bush term," said Robert Brandon, who served as director of Public Citizen's Tax Reform Project from 1972-1977.

Nader has received tens of thousands of dollars in campaign contributions, as well as legal support and aid in gathering ballot signatures from right-leaning groups intent on undermining support for John Kerry.

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Complete text of the letter and a list of signatories follows.

**An Open Letter to Ralph Nader Voters**

Dear Voters,

Many of us former Nader's Raiders and leaders of his organizations voted for Ralph Nader in 2000. Many did not.

This November, none of us will vote for Ralph. We believe there is nothing more important than defeating George W. Bush.

Ralph argues that he is creating an independent political voice. In 2000, when he ran as the Green Party candidate, that may have been true.

In 2004, as the candidate of the increasingly reactionary, anti-immigrant Reform Party, and the recipient of financial and political support from right-wing funders and operatives, it is not credible. Unfortunately, Ralph is party to a disingenuous effort to split the progressive vote in key states.

With the major party candidates in a dead heat, Nader is poised to tip the election to Bush – again.

We do not agree with Ralph that there is little difference between the Republicans and the Democrats. We know that the country cannot afford another four years of Republicans controlling the White House, both chambers of Congress, the Supreme Court and the entire federal Judiciary. The price of a protest vote is too high for families who live from paycheck to paycheck, for those concerned about the realities of war, for those who lack decent jobs and access to health care, and for the environment.

While Ralph has pursued politically expedient alliances with the right wing, truly progressive leaders – from peace activists to former Dean supporters – have made substantial progress organizing within the Democratic Party.

United, progressives can build a base for a transformed party funded by small donors, imbued with progressive values and driven by a vision of a democratic majority. Divided, we will give four more years to George W. Bush, Dick Cheney, Donald Rumsfeld and John Ashcroft. The progressive vote can be the key to this election.

We know Ralph Nader better than anyone else. We were inspired to public service by his vision and his integrity. Now we are disappointed and saddened to see him embrace the support of reactionary forces who oppose everything we and Ralph have stood for and whose real agenda is to reelect George Bush.

Join us. Cast your vote for a progressive future and support John Kerry.

Nader's Raiders,

Brian Ahlberg – *Former MN PIRG*

Judy Appelbaum – *Public Citizen's Congress Watch, Summers 1974, 75*

Shelia Bailen – *Former Executive Director, PA PIRG*

Samuel Boykin – *Field Director, NJ PIRG 2000-03*

Michael Berg – *Congress Project 1972*

Robert Brandon – *Director, Public Citizen's Tax Reform Research Group 1972-77*

Mike Calabrese – *Former Director, Public Citizen's Congress Watch 1980*

Marc Caplan – *Executive Director, Connecticut Citizen Action Group 1974-80*

Michael Caudell-Feagan – *USPIRG 1985-88; Nat'l Assoc. for Pub Interest Law 1988-91*

Nancy Chasen – *Lobbyist, Public Citizen's Congress Watch 1973-75*

Sarah K. Chiles – *Former Northeast regional coordinator, Americans against Political Corruption*

Elizabeth Collaton – *Research Director, Public Citizen's Congress Watch 1985*

Karen Croft – *Staff, Center for the Study of Responsive Law 1979-80*

Gina Collins Cummings – *Organizing Director, NJ PIRG, 1994-1994*

Beth DeGross – *Former Director, PIRG Voter Registration Campaigns*

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James Dickson – Director of Organizing, Connecticut Citizen Action Group 1976-78  
Angela Di Leo – Staff, Florida PIRG 1984-86  
Wayne Dillehay – Critical Mass Energy Project 1978-80  
Kristen Dunton – Organizing Director and Staff Attorney, State PIRGs 1989-2003  
Joe Tom Easley – Center for the Study of Responsive Law, 1969-74  
Larry Eason – Director, Training and Media Center, PIRG 2000-2001  
Donna Edwards – Public Citizen's Congress Watch 1990s  
David Eppler – Staff Attorney, Public Citizen's Congress Watch 1989-92  
Sherry Etteson – Former Staff Attorney, Public Citizen's Congress Watch  
Andrew Feinstein – Attorney, Public Citizen's Congress Watch 1975-79  
Curtis Fisher – Executive Director, NJ PIRG, 1996-2002  
Mark Foegel – USPIRG; Public Citizen's Congress Watch 1980s; VT PIRG Communications Coordinator 2002-2004  
Arthur L. Fox – Public Citizen's Litigation Group 1972-90  
Pamela Gilbert – USPIRG 1984-89; Staff Attorney, Public Citizen's Congress Watch 1989-94  
John Gilroy – Nader Difference in '84 Campaign; Organizer, Citizen Utility Board 1985; Executive Director, VT PIRG 1988-9  
David Hamilton – National Field Director, USPIRG 1987-90; Energy Lobbyist, USPIRG 1990-92  
Stephanie Harris – Study of Responsive Law; Health Research Group  
Joan Holt – NY PIRG 1979-88  
Anita Johnson – Attorney, PIRG; Public Citizen's Health Research Group 1971-77  
Richard Kirsch – Public Citizen 1974-77  
Ann Krumboltz – Staff, Center for the Study of Responsive Law 1978-80  
Rob Laffer – Public Citizen's Health Research Group 1978-81; Coordinator, Nader's Speaking Tour of Japan 1989  
Mindy Lubber – Program Director, Mass PIRG 1976-81  
Mark Lynch – Former Staff Attorney, Public Citizen's Congress Watch  
Bill Magevorn – Staff Attorney, USPIRG 1988-92; Public Citizen's Critical Mass Energy Project 1992-97  
Tim Messed – Center for the Study of Responsive Law; Wisconsin Citizen Utility Board 1978-81  
Neil McBride – Aviation Consumer Action Project 1971-72  
Steve McCarthy – Executive Director, OR PIRG, 1972-74  
Rich McClintock – Former Executive Director, CO PIRG  
Chris McGinn – Deputy Director, Public Citizen's Global Trade Watch 1991-98  
David Moulton – Former Staff Attorney, Congress Watch  
Michael Pertachuk – Chair, Federal Trade Commission  
Donna F. Parsons – Director, Connecticut Citizen Action Group 1981-87  
Peter Petkas – PIRG, Corporate Accountability Research Group 1970  
Ronald Plesser – Director, Freedom of Information Clearinghouse 1972-75  
Rick Plunkett – MN PIRG 1976-81; CA Campus Organizer 1979-80  
Tom Powers – Florida PIRG Organizing Director, FFPIR Nat'l Campus Program Director, PIRG work 1986-1995  
Nancy Rader – CalPIRG 1983-87; Public Citizen 1988-90  
Miles Rapoport – Executive Director CCAG 1979-84  
Neal Ritchie – Former Executive Director, Minnesota PIRG  
Marty Rogol – General Counsel, Connecticut Citizen Action Group 1971-73; Director, Nat'l PIRG 1974-78  
Adam Ruben – Field Director, USPIRG 1999-2002  
Leslie Samuelrich – PIRG 1985-91 – Organizer, Conn PIRG; Director, National Student Campaign Against Hunger and Hon  
Samantha Sanchez – Attorney, Public Citizen's Tax Reform Research Group 1973-75  
Kerry Schumann – Former Director, Wisconsin PIRG  
Gary Sellers – OSHA Project Center for the Study of Responsive Law 1969  
Megan Seibel – Former Executive Director CO PIRG  
Bob Shireman – Chairman, CalPIRG 1981-83; Legislative Advocate 1984-86  
Lucinda Sikes – CalPIRG 1983-86; USPIRG 1989-92; Public Citizen's Litigation Group 1993-89

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- Daniel Silverman – *Former Nat'l Field Director, USPIRG; Former Vice-Chair, Board of CalPIRG*
- David Slam – *CEO, Equal Justice Works, formerly the National Association for Public Interest Law*
- Gene Stip – *Center for the Study of Responsive Law 1980-81*
- Rob Stuart – *Program Director, NJ PIRG, 1994-91; Executive Director, VT PIRG 1991-93*
- Tom Subak – *State Campaign Director, CalPIRG 1985-98*
- Andrea Sullivan – *Organizing Director, NJ PIRG, 1983-84*
- Thomas D. Sutton – *ETS Study Group 1970s; Public Citizen's Congress Watch 1970-81*
- Michael Totten – *Critical Mass Energy Project 1982-83*
- James Turner – *Center for the Study of Responsive Law 1968-72*
- Ken Ward – *Executive Director, RI PIRG 1981-82; Executive Director, NJ PIRG 1983-86*
- Bill Wasserman – *Organizer, CalPIRG 1981-86; Organizer, Public Citizen's Congress Watch 1988-89*
- Kathleen Welch – *Former Executive Director, Nat'l Association of Public Interest Law*
- Harrison Wellford – *Center for the Study of Responsive Law, Food and Environmental Safety Project 1988, Executive Director 1970-71*
- David Wood – *Former General Counsel, Public Interest Research Groups*
- Frances A. Zwenig – *Former Attorney-Advocate, Public Citizen's Congress Watch*

*\* Affiliations listed for identification purposes only.*

**More than 30 National and State Health Care Advocates Release Letter to Potential Nader Voters  
October 14, 2004**

WASHINGTON, D.C. – Following last night's presidential debate where George Bush offered more of the same failed vision on health care, Progressives for Victory (UPforVictory.com) today released a letter signed by national and state health care advocates urging potential voters to support John Kerry this election. The letter states:

Four more years of the current administration is four more years of an administration determined to privatize Medicare, limit Medicaid, and erode the entire public health infrastructure in this country. It is four more years of no limits being placed on companies that profit at the expense of the health of our people. It is four more years of standing by while the ranks of the uninsured in this country continue to grow dramatically.

We share Ralph Nader's passion to protect America's citizens, and we have stood with Ralph in demanding health care for everyone. We will not risk the health of our citizens in order to support him.

UPforVictory.com includes progressives who have worked with Nader in the past and leaders with years of experience working on peace, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice. For more information about the organization, please go to [www.upforvictory.com](http://www.upforvictory.com). UPforVictory.com organized state and national letters signed by progressives, peace activists, and women leaders all urging potential Nader voters to support his candidacy this election and to unite to defeat Bush.

The full text of the letter and a list of the signers are below:

**An Open Letter from Health Care Advocates to Potential Nader Voters**

We are in the final month of the presidential election, and it is essential to our very wellbeing that George W. Bush be a one-term President. A vote for Nader in this election is a vote for Bush, and we cannot afford to return Bush to office. Four more years of the current administration is four more years of an administration determined to privatize Medicare, limit Medicaid and erode the entire public health infrastructure in this country. It is four more years of no limits being placed on companies that profit at the expense of the health of our people. It is four more years of standing by while the ranks of the uninsured in this country continue to grow dramatically.

Today, after three consecutive years of increases, the number of uninsured in this country is now at a staggering 45 million. 18,000 Americans die each year based solely on the fact they have no health insurance (Kaiser Commission on Medicaid and the Uninsured, *The Cost of Care for the Uninsured: What Do We Spend, Who Pays, and What Would Full Coverage Add to Me*).

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Spending? Issue Update May 10, 2004). During this same time, health care costs have grown at three times the rate of our and the Supreme Court has ruled that HMOs can no longer be held liable for improper denials of health care. The Bush administration has "solved" the prescription drug problem by creating a drug discount for seniors that does nothing at all to c prescription drug costs and has "helped" children by removing \$1.1 billion dollars from SCHIP this year alone.

The right wing will use whatever means are necessary to retain the White House. They have collected ballot signatures ac nation for Ralph Nader and sent him thousands of dollars in campaign contributions. In Florida alone, one third of Nader's f comes from Republican donors (Tampa Tribune, 7/15/04). They are trying to divide and conquer the progressive vote throu support for Nader, and we cannot let them win.

For years, we have fought for a world where access to affordable health care is the norm. We share Ralph Nader's passion America's citizens, and we have stood with Ralph in demanding health care for everyone, but we will not vote for him this el We will not risk the health of our citizens in order to support him.

If you care about the health of our citizens, vote for Kerry this November.

Sincerely,

- Ellen Leitzer – New Mexico Health Care Advocate
- Tony Garr – Tennessee Health Care Campaign
- Rob Restuccia – Health Care Advocate
- Fred Azcarate – Jobs with Justice
- Ed Coyle – Alliance for Retired Americans
- Ken Friesof – Universal Health Care Action Network
- Darcy Haber – Wisconsin Citizen Action Health Care Campaign
- Larry Lavin – Health Care Advocate
- Cindy Mann – Health Policy Institute, Georgetown University
- Jim Duffett - Campaign for Better Health Care
- Richard Krech – Citizen Action NY
- E. Joyce Gould, RN, MSN – Health Care Project Director
- David Hamilton, Ph.D., LMSW – Health Care Advocate
- Shirley Glenn – Brooklyn-wide Interagency Council of the Aging
- Paulette Orlando, Health Care Advocate
- Barbara Quint – Health Care Advocate
- Francine Brewer – Rekindling Reform for Universal Health Care
- Martha C. Orr – Texas Health Care Advocate
- David Sprintzen – Long Island Progressive Coalition
- Barbara Walters Roop, JD, PhD – Health Care for Massachusetts Campaign
- John Goodson, MD – Professor, Harvard Medical School
- Jeffrey S. Crowley, M.P.H. – Project Director, Health Policy Institute, Georgetown University
- Mark Schlessinger – Health Care Policy Professor, Yale University
- Joe Ditre, Esq. – Maine Consumers for Affordable Health Care Foundation
- Brian Roeman – Health Care for All
- Jane K. Taylor – Health Care Advocate
- Becky Derby – Health Care for All
- Ragina Shah –Columbia University Law School
- Claire Murray – Health Care Advocate
- Phoebe Bender – Family Planning Advocate
- Patricia Griffin – Health Care Advocate
- Andrew Lucas – Health Care Advocate

\*\*\* Organizations listed for identification purposes only

## **New Mexico Progressive Urges Voters to Ignore Nader**

**"I voted for Ralph Nader in 2000, but New Mexico cannot afford four more years of Bush"**

**October 13, 2004**

Albuquerque, NM – In advance of Ralph Nader's visit to New Mexico, Robin Seydel, a former Nader voter, urged progressives to ignore this election, United Progressives for Victory (UPforVictory.com) announced today. Nader is scheduled to appear at the University of New Mexico this evening.

"I voted for Ralph Nader in 2000, but New Mexico cannot afford four more years of Bush and his cronies in the White House. That's why John Kerry and I urge all concerned progressives to do the same," said Robin Seydel, environmental and social justice activist. Seydel has worked on nuclear, food, health and environmental issues with a variety of organizations in New Mexico for over 20 years.

New Mexico is a battleground state where Nader is polling at 3% and Bush is ahead of John Kerry by 1%, according to a CNN/USA survey (10/3-10/6). Republicans and right wing operatives have assisted Nader in his efforts to run for President this year. For example:

- Nader has accepted contributions from conservative PAC donors who have given to the archconservative Club for Growth.
- Nader's campaign has received legal representation from lawyers who represented Bush in the 2000 Florida recount and benefited from assistance from a Republican consultant in Nevada, conservative, right wing organizations in Oregon, the Michigan state party which collected 45,000 signatures for his effort.
- Altogether, UPforVictory.com research has documented over \$100,000 in cash and known in-kind contributions to Nader by consultants. This does not count the unreported in-kind contributions made by the GOP in circulating his ballot petitions in numerous states.
- UPforVictory.com unearthed Swift Boat Veterans for Truth contributions. Five major donors who have given \$13,500 to Swift Boat Veterans for Truth to air attack ads on John Kerry's military service have also given Nader \$8,000. Travis Anderson (NJ), Brian Pilchuk (FL), are three of Nader's largest donors and each has given him \$2,000 (the maximum allowable contribution), while others have given to Swift Boat Veterans for Truth. Nader himself has condemned the ads run by this 527, saying, "It's pretty deplorable that Bush's cronies are doing this smear," Nader said. (8/27/2004, A.P., in speech at Tulane University)

UPforVictory.com includes progressives who have worked with Nader in the past and leaders with years of experience working on public issues including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice. For more information about the organization, please see the rest of this site.

## **Leading Nevada Progressive Sounds Alarm on Nader's Visit to Las Vegas**

**"Bush's Yucca Mountain Scheme Could Become Reality Thanks to Nader"**

**October 12, 2004**

RENO, NV – Bob Fulkerson, a leading progressive in Nevada, today sounded the alarm on Ralph Nader's planned visit to Las Vegas. Nader's candidacy a grave threat to the environment and to the health of millions of residents in the state, United Progressives for Victory (UPforVictory.com) released today.

"Any Progressive who has fought against Yucca Mountain will be gambling the future of Nevada away if they vote for Ralph Nader," said Fulkerson, who worked with Nader for 10 years on the Critical Mass Energy Project. "The right wing is bankrolling Nader's presidential bid and they are betting that Nader will split the progressive vote so Bush could be re-elected. If this scheme succeeds, Bush's dangerous plan to build a nuclear waste in Yucca Mountain will become a reality.

Fulkerson concluded, "Progressives will reject Nader this election and we will unite on November 2nd to defeat Bush."

Republicans across the country have bankrolled the Nader campaign.

- UPforVictory.com research has documented over \$100,000 in cash and known in-kind contributions to Nader by GOP donors and consultants. This does not count the unreported in-kind contributions made by the GOP in circulating his ballot petitions in numerous states.
- In Nevada, for example, a Republican political consultant served a "major fund-raising role" in Nader's ballot effort in Nevada, according to the Associated Press. Consultant Steven Wark started an organization to raise money to help Nader qualify in Nevada.

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Bush. When the AP asked Wark if he thought Nader would make the difference in Nevada for Bush, he answered, "I would it for my own health." [Associated Press, 7/12/04]

- UPforVictory.com unearthed Swift Boat Veterans for Truth contributions. Five major donors who have given \$13,500 to Veterans for Truth to air attack ads on John Kerry's military service have also given Nader \$8,000. Travis Anderson (N.J.), I and Donald Burns (FL), are three of Nader's largest donors and each has given him \$2,000 (the maximum allowable contrib contributing to Swift Boat Veterans for Truth. Nader himself has condemned the ads run by this 527, saying, "It's pretty depl through his proxies is doing this smear," Nader said. (8/27/2004, A.P., in speech at Tulane University)

UP for Victory.com includes progressives who have worked with Nader in the past and leaders with years of experience working on causes including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, workers' rights, and social and economic justice. For more information about the organization, please see the rest of this site.

#### Washington State Progressives Release Letter to Potential Nader Voters

**"We Share Ralph's passion...but we will not vote for Ralph Nader this election. We will not risk giving George W. Bush fo October 11, 2004**

SEATTLE, WA – An open letter to potential Ralph Nader voters by Washington State progressives, including anti-war Congressman Chair of Earth Day Network Danie Hayes, and former Chair of the Washington Green Party Kara Cerello, w as released during Ned to Seattle today.

United Progressives for Victory (UP for Victory.com) organized the letter, said Randy Poptlock, the group's Washington State organi coordinator. The letter states:

This election is about ending the reign of George W. Bush, who is intent on dismantling and destroying all that we – and Ralph – have worked for decades to achieve. November 2 nd will be a defining moment in world history. Your vote will determine the Presidency, but the survival of progressive values that you, Ralph, and we, hold so dear. Can you afford another four m of George W. Bush?

Make no mistake: A second Bush term will:

- permanently demolish our already-weakened environmental protections, including opening more of our national resources for and logging;
- further dismantle consumer protections;
- eliminate a woman's right to choose and medical privacy;
- decimate our public education system and civil liberties;
- ship millions more jobs overseas;
- drain programs that help the poor and working families;
- select at least one Supreme Court justice.

Experts tell us that if Bush wins again, Republicans will control the government for a generation or more. Much of their actio permanent, including nominating Supreme Court Justices. We cannot let the right wing win.

The religious right adamantly wants Bush to win, and is using Ralph Nader to divide and conquer the progressive vote. Th collected ballot signatures across the nation for Nader. They sent him tens of thousands of dollars in campaign contribution; wins, conservatives will continue to exert incredible influence over national policies.

For years, we have fought for progressive causes, often alongside organizations created or inspired by Nader. We share Ra passion for America's workers and consumers. We stand with him in demanding that all have access to healthcare. We s him that we have to work to keep our economy strong, our children healthy, our environment clean and our communities saf too, value a peaceful world where the United States is again respected.

But we will not vote for Ralph Nader this election. We will not risk giving George W. Bush four more years to permanently c programs on which we have worked so diligently. With Kerry, we will have conversations and win some victories. With Bush

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will be closed and we will suffer stunning defeats.

Your vote is your voice in this election. The stakes are incredibly high. The race in Washington State is close. Make your vote on November 2nd. Voting for John Kerry and John Edwards is the only choice for those of us who want to safeguard progressive values.

Please stand with us in preserving liberty, civil rights, democracy, and progressive American values – vote for John Kerry for President.

UP for Victory.com, which includes progressives who have worked with Nader in the past and leaders with years of experience work on causes, has organized similar letters in states like Wisconsin, Minnesota and Colorado.

"Washington State cannot afford another four years of George W. Bush. On election day, progressives will help end the reign of Bush and the real work of moving forward a national progressive agenda," said Poplock, who founded One Voice For Change (OVFC), a group of progressives. OVFC recently evolved into the WA effort of UP for Victory.com.

#### **Wisconsin Progressives to Nader & Camejo: Give Back Campaign Contributions from Funders of "Swift Boat Veterans for Truth"**

October 8, 2004

MADISON, WI – Wisconsin progressives today called on the Nader/Camejo campaign to give back the thousands of dollars it has received in contributions from Funders of Swift Boat Veterans for Truth, a right wing 527. According to Federal campaign records, five major donors who have given \$13,500 to Swift Boat Veterans for Truth to air attack ads on John Kerry's military service have also given Nader \$8,000.

Peter Camejo, Ralph Nader's running mate who is traveling in the state today, said earlier this year that the campaign would reject contributions from individuals who oppose the Nader/Camejo platform. "I take no money from people who disagree with us. We're not interested in their money," he said in a *San Francisco Chronicle* ("GOP donors funding Nader," July 9, 2004).

"It's one thing to take money from known Republicans who still might ostensibly support Nader's candidacy, but these Swift Boat funders are a different category altogether. He may as well just take money from Karl Rove himself or Lee Atwater's ghost," said Madison Ald. Auwerx, who was first drawn into politics by Nader's 2000 presidential campaign. "I call on Nader and Camejo to stick up for their principles by returning these dirty dollars to the scumbags who sent them."

United Progressives for Victory (UP FOR VICTORY.COM) unearthed the Swift Boat Veterans for Truth contributions. Travis Anderson (CA) and Donald Burns (FL), are three of Nader's largest donors and each has given him \$2,000 (the maximum allowable amount) also contributing to Swift Boat Veterans for Truth. Nader himself has condemned the ads run by this 527, saying, "It's pretty deplorable that through his proxies he is doing this smear," Nader said. (8/27/2004, A.P., in speech at Tulane University)

In addition to accepting contributions from donors of Swift Boat Veterans for Truth, the Nader/Camejo campaign has also taken money from conservative PAC donors who have given to the Club for Growth, along with legal representation and ballot help from Republican PAC major donors, and state parties. Altogether, UP for Victory.com research has documented over \$100,000 in cash and known in-kind contributions to Nader by GOP donors and consultants. This does not count the unreported in-kind contributions made by the GOP in circulating his ads in many states.

#### **Oregon Progressives Issue Open Letter to Progressive Voters in Oregon**

October 8, 2004

SALEM—A state-wide alliance of progressives on Thursday issued an Open Letter addressed to all progressive voters in Oregon, calling for them to join in electing John Kerry on November 2. The United Progressives of Oregon letter stated "This election is about the continued survival of progressive values in American political life," and went on to warn against right-wing tactics which would "divide and conquer the people."

The group, numbering more than 50 individuals from across Oregon with backgrounds in progressive causes and politics, endorsed the Kerry-Edwards ticket as the means to "ending the reign of George Bush, who is intent on dismantling and destroying all that we have fought for years to achieve."

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While members of the alliance have ties to Ralph Nader and the causes he has advanced, the Open Letter stated "we will not vote for election. It is too close and too important" the letter said, "to risk our future on a vote for Ralph that will give George Bush four more years to destroy the causes we care about."

#### **An Open Letter to Oregon Progressive Voters from United Progressives for Victory**

This election is about ending the reign of George Bush, who is intent on dismantling and destroying all that we have worked to achieve. This election is about the continued survival of progressive values in American political life.

For years we have fought for social and economic justice, for access to health care, for a cleaner environment, for better education for our children and for better jobs for our workers. We have opposed economic and environmental racism, discrimination against women and lesbians, and have fought against the ever-stronger influence of corporate interests over government decision-making.

Another four years of George Bush is four more years of right-wing conservatives coming back to finish the job of destroying environmental and consumer protections, weakening our public education and civil liberties, taking away a woman's right to choose, sending jobs overseas and taking away from working families to give tax breaks to the rich.

Republicans want to stay in power and they're using whatever means necessary, including circulating petitions to get Ralph Nader on the ballot and sending him thousands of dollars to support his campaign. And they are still using Ralph Nader today to divide and conquer the progressive vote, with their support of a Nader write-in campaign in Oregon.

**We say to all progressive voters in Oregon: Don't fall for the dirty tricks of the right wing!**

We share Ralph's passion for America's workers and consumers. We stand with him in demanding that all Americans must have access to healthcare. We agree with him that we have to work to keep our economy strong, our children healthy, our communities safe and to make corporations respect the laws of our nation. We, too, value a more peaceful world where America is respected again.

But we will not vote for him this election. It is too close and too important to risk our future on a vote for Ralph that will give George Bush four more years to destroy the causes we care about. So we will not be writing in Ralph Nader's name on November 2. We will be casting our ballots for John Kerry and John Edwards.

Your vote is your voice this election. Make both of them heard loud and clear. Stand with us: Support Ralph Nader's legacy for John Kerry. Together we will be the difference in the United States in 2004.

Signed,

State Representative Robert Ackerman, Eugene  
Karen Adams M.D., Portland  
Dan Arkin, Retired attorney, Portland  
Rudy Berg, Eugene  
Peter Bergel, Peace advocate, Salem  
Arwen Bird, Survivor advocate, Portland  
Ron Brandstetter, Writer / activist, Portland  
State Senator Kate Brown, Portland  
Eden Rose Brown, Attorney, Salem  
Virginia Brown, Silverton  
Susanne Bunker, Community College Faculty, Eugene  
Linda Camine, Education consultant, Eugene  
Jon Christenson, Conservationist, Salem  
Norma Bean Comrade, Eugene  
Lenny Dee, Political activist, Portland  
Congressman Peter DeFazio, Eugene

Gretchen Kalfour, Former City Commissioner, Portland  
Gretchen Kerans, Former Speaker, Oregon House of Representative  
Salem  
Munir Katul, Physician (retired), Eugene  
Will Levin Ph.D., Psychologist, Eugene  
Joan Little, Portland  
Harry Lonedale, Campaign reform activist, Sisters  
Stephen McCarthy, Former Oregon PIRG Director, Portland  
Dave McKenna, Environmentalist, Salem  
David Mandelblatt, Teacher (retired), Eugene  
Robert Z. Mehnick, Professor, Eugene  
Gretchen Miller, Attorney, Eugene  
State Senator Bill Morrisette, Springfield  
Michael Munk, Portland  
State Representative Mary Nolan, Portland  
Rob Noose, Labor representative, Portland

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Anne DeLaney, Eugene  
 Ron Ennis, Vietnam Veteran, Portland  
 Ann Fidanque, Teacher, Eugene  
 Brent Foster, Conservationist, Portland  
 R.D. Gus Frederick, Silverton  
 Mari Anne Gast, Portland  
 Jane Goldhammer, Beaverton  
 Mary Heffernan, Women's rights advocate, Portland  
 Julie Huisman, Silverton  
 Bill Isabell, Salem  
 Arnold Ismach, Professor (retired), Eugene  
 Dwight Jackson, Retired, Florence  
 Mary-Ann Jackson, Retired, Florence  
 Deborah Kafoury, Former Legislator, Portland

Lynde Paule, Education consultant, Portland  
 Sandy Polishuk, Portland  
 Michele Rowley M.D., Education advocate, Silverton  
 Mark Rowley M.D., Health access advocate, Silverton  
 Chuck Sheketoff, Former Deputy Dir. Vermont PIRG, Silverton  
 State Senator Frank Shields, Portland  
 Peter Sorenson, Lane County Commissioner, Eugene  
 Dick Springer, Labor representative, former State Senator, Portland  
 Betsy Toll, Portland  
 Randy Tucker, Fair trade advocate, environmentalist, Portland  
 State Senator Vicki Walker, Eugene  
 Nancy Welch, Retired, Springfield  
 Laurie Wimmer Whelan, Portland  
 Jody Wisser, Political activist, Portland  
 David Young, Environmentalist, Ashland

#### More than 25 Leaders on Women's Issues Release Letter to Potential Nader Voters

"We will not vote for Nader this election – and we strongly urge all women to make the same choice."

October 7, 2004

WASHINGTON, D.C. – More than 25 leaders who have spoken out on women's issues today released a letter to women who may be casting their ballot for Ralph Nader this election. Activists and leaders who have worked on issues such as reproductive rights, child equal pay, poverty, peace, and more, signed the letter, which was organized by United Progressives for Victory (Upforvictory.com).

Signatories included Gloria Steinem; Muriel Fox, a co-founder of NOW; Kim Gandy, the current president of NOW, and Patricia Ireis president of NOW; Gloria Feldt, president of Planned Parenthood; Susan Sheer, executive director of the anti-war WAND; and Kara co-founder of UP for Victory.

"Nader is doing what he thinks is right – and so must we," said Gloria Steinem. "This country and world cannot afford the destructive W. Bush."

UP for Victory includes progressives who have worked with Nader in the past and leaders with years of experience working on programs including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice. For more information about the organization, please go to [www.upforvictory.com](http://www.upforvictory.com)

The full text of the letter and a list of the signers are below.

#### AN OPEN LETTER TO WOMEN CONSIDERING VOTING FOR RALPH NADER

This election is about ending the reign of George Bush who is intent on dismantling and destroying all that we have worked to achieve. This election is about the survival of values that we all hold so dear, and for the chance to strengthen, empower, improve the lives of millions of women and girls in America and around the world.

Four more years of George Bush is four more years of the right wing intent on eroding our privacy rights and our reproductive freedoms, preventing a livable minimum wage, adding to the ranks of the uninsured, turning their backs on poor women, refusing sufficient support for child care and early childhood education, and ignoring workplace equity issues like equal pay and family leave. The Bush administration has chiseled away at existing protections for women and done nothing to create new protections.

The Republican right wing understands power and they want to keep it. Now, they are using Ralph Nader to divide and conquer those who are opposed to George W. Bush's regime. They have collected ballot signatures across the nation for Nader, given tens of thousands of dollars in campaign contributions and have even gone to court for him – all in a blatant effort to re-elect W. Bush. We cannot let them win. And we wonder why Ralph Nader is comfortable with their support. For years, we have fought

promote a world where women are valued as equals in society. Even though Ralph has never been at the forefront of the women's rights, women have been crucial partners in his efforts to protect America's citizens. In his current candidacy, Nader prepared to sacrifice progress on the issues that women care about – privacy, education, childcare, healthcare, workplace safety and nonviolence at home and abroad. He has even sought and accepted the nomination of the Reform Party, whose chairman called for the death penalty for abortion providers. We will not vote for Nader this election – and we strongly urge all women to make the same choice. American women – and women and girls around the world – cannot afford to give George Bush four more years to destroy the causes for which we have worked. Your vote is your voice this election. Make both of them heard loud and clear: the only real chance to promote the issues that matter most to women is to vote for John Kerry. Sincerely, Natalie Baroffin, Planned Parenthood, Golden Gate; Linda Berg, Political Director, NOW; Vanessa E. Cullins, MD, MPH, MBA, Planned Parenthood of the Puget Sound, CEO, National Family Planning and Reproductive Health; Gloria Feldt, President, Planned Parenthood; Rachel Education Associate, Association of Reproductive Health Professionals; Muriel Fox, Co-founder, NOW; Kim Gandy, President, NOW; Nancy L. Huribert, President, Business & Professional Women/USA; Patricia Ireland, Former President, NOW; F. Leeds, Winning Strategies; Erin Libbit, Chair, Women's Information Network; Cyndi Lopez, Education Manager, Association of Reproductive Health Professionals; Gwendolyn Mink, Author and welfare rights activist; Milnyon Moore, Dewey Square; Robin Morgan, Author, Poet, and former Editor in Chief of MS. Magazine; Karen Blumhauer; Terry O'Neill, Vice President, Ellen S. Overton; Susan Shear, Executive Director, WAND; Wayne G. Shields, President/CEO, Association of Reproductive Health Professionals; Lee P. Shulman MD, Northwestern Memorial Hospital Distinguished Physician, Professor – Department of Obstetrics and Gynecology; Jill Sideman; Jennifer Stark, Political Director, Women's Information Network; Gloria Steinem, Author, and Organizer, and Amy Swann, Director of Education, Association of Reproductive Health Professionals.

[\* Affiliations listed for identification purposes only.]

#### **Ralph Nader Accepts Campaign Contributions from Funders of "Swift Boat Veterans for Truth"**

October 6, 2004

WASHINGTON, D.C. – Funders of Swift Boat Veterans for Truth, a right wing PAC, have made thousands of dollars in campaign contributions to Ralph Nader, United Progressives for Victory (UP for Victory) announced today. In addition to accepting contributions from donors of Swift Boat Veterans for Truth, Nader has also taken money from conservative PAC donors who have given to the Club for Growth, along with ballot help from Republican consultants, lawyers, major donors, and state parties.

According to Federal Election Committee records, five major donors who have given \$13,500 to Swift Boat Veterans for Truth to air ads about John Kerry's military service have also given Nader \$8,000.

Specifically, Travis Anderson (NJ), Brian Pilcher (CA) and Donald Burns (FL), are three of Nader's largest donors and each has given the maximum allowable contribution, while also contributing to Swift Boat Veterans for Truth. Rax Martin (FL) and Oliver Grace (NY) have given to both Nader's PAC and the swift boat PAC.

Nader has condemned the ads run by this PAC, saying, "It's pretty deplorable that Bush through his proxies is doing this smear," Nader said (8/27/2004, A.P., in speech at Tulane University)

Robert Brandon, a former Nader associate, public interest attorney and co-founder of UP for Victory said, "Now we learn that Bush, through his proxies, is funding Nader's campaign. If Nader wishes to have any credibility left with progressives, he must give back all right wing support and acknowledge that his campaign is being used by the Bush/Cheney re-election team."

Altogether, UP for Victory research has documented over \$100,000 in cash and known in-kind contributions to Nader by GOP donors. This does not count the unreported in-kind contributions made by the GOP in circulating his ballot petitions in many states.

#### **United Progressives for Victory Launches Grassroots and Media Campaign in New Hampshire Opposing Ralph Nader** October 5, 2004

WASHINGTON, DC - Criticizing Ralph Nader for accepting support from right-wing conservatives, United Progressives for Victory (UP for Victory) today announced plans to organize a grassroots and media campaign against Ralph Nader in New Hampshire. UP for Victory is made up of progressive activists, leaders and former Nader associates concerned that Nader's candidacy in 2004 will help re-elect George W. Bush.

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"Progressives are united and organized against Nader's campaign in New Hampshire and across the country," said Bob Brandon, a associate, public interest attorney and co-founder of UP for Victory. Steve Mahood, a former staffer for Howard Dean in New Hampshire organizer for Nader in 2000, will be coordinating UP for Victory's New Hampshire effort.

Brandon added: "We are appalled by Nader's claim that his campaign will aid progressive causes, while he is accepting the aid of right-wing Republicans who are destroying those causes. Republicans are giving Nader money and labor because they know his candidacy can help George Bush get re-elected."

According to campaign finance reports, David Carney, a Republican political operative in New Hampshire with ties to the first President, collected \$8,000 of "in kind" contributions to the Nader campaign. Carney's firm collected signatures to get Nader on the ballot in New Hampshire at Bush/Cheney rallies.

Elsewhere, Ralph Nader has received support from:

- Major Republican donors, who gave more than \$100,000 in cash and in-kind contributions to Nader, including support from contributors to the right-wing conservative PAC Club for Growth
- The Michigan Republican state party, which gathered 45,000 signatures to put Nader's name on the ballot, compared to only 100 by actual Nader supporters
- Ken Sukhia, a lawyer who provided key legal representation to President Bush during the 2000 Florida recount and was hired by Florida
- The Reform Party, which has anti-immigrant policies and has nominated Nader in four states

For more information about UP for Victory, and Nader's right-wing support, see the rest of this site.

#### **United Progressives for Victory Organizes Grassroots & Media Campaign Targeting Potential Maine Nader Vote October 5, 2004**

MAINE—United Progressives for Victory (UP for Victory) announced today that Maine progressive activist and nationally-known indie filmmaker Karen D'Andrea will organize the grassroots effort that will target potential Ralph Nader voters in that state. UP for Victory is undertaking an aggressive grassroots, paid and earned media campaign in battleground states where Nader appears on the ballot.

D'Andrea, who is a registered Green and who voted for Nader in 2000, will serve as a full-time grassroots and volunteer coordinator for UP for Victory. She said, "Any progressive who believes that voting for Ralph Nader this election would actually bring about change is sadly mistaken. Progressives have the power to kick George Bush out of office on November 2nd and the responsibility to shape the John Kerry Administration starting on November 3rd."

D'Andrea added that progressives in Maine, including Greens, are demanding answers from Ralph Nader about his relationship with an anti-immigrant group that is run by Pat Buchanan faithful. The Reform Party's platform promotes a "temporary freeze on all immigrant spouses and minor children of US citizens" until they are "assimilated;" "No national, state or local government assistance of any kind Social Security, Medicare or Medicaid shall be provided for anyone that is not a legal alien or US citizen;" and an end of automatic citizenship for those born in the U.S. to non-citizens. Nader is the Reform Party's candidate in states like Florida.

"Progressives are fighting every day for social and economic justice for all people. That is why our community is disheartened by Nader's support of the anti-immigrant Reform Party," said D'Andrea.

As a veteran and an active member of Veterans for Peace, D'Andrea also encouraged progressives to unite against George Bush in Iraq by supporting John Kerry. She pointed to a letter signed by almost 60 peace leaders opposed to the war in Iraq and released last week that may be considering casting their ballot for Ralph Nader this election. The letter was organized by UP for Victory.

#### **United Progressives for Victory Organize Against Nader in Florida**

**"Nader is Sleeping with the Enemy"**

September 29, 2004

TAMPA, FL – Calling him a tool of the anti-immigrant Reform Party and right-wing conservatives, United Progressives for Victory (UPV) announced plans to organize a grassroots campaign against Ralph Nader in Florida. Nader is scheduled to speak at the Centro As Theater tonight.

"Ralph Nader is sleeping with the enemy. Progressives are disgusted by his actions and are uniting and organizing against his campaign and across the country," said MJ Williamson, UPV for Victory Florida's grassroots coordinator. "Nader is taking money from some who raise hundreds of thousands of dollars for right wing PACs and is the presidential candidate of the Reform Party, an anti-immigrant led by Pat Buchanan faithful."

"Fool us once shame on you; fool us twice shame on me," Williamson, a longtime organizer in Florida for progressive causes, added. Nader told Florida he was the progressive leader, but this time, we know who is funding and running him."

As the Reform Party candidate in Florida, Ralph Nader is the presidential nominee of a party that promotes a "temporary freeze on except for spouse and minor children of US citizens" until they are "assimilated;" "No national, state or local government assistance education, Social Security, Medicare or Medicaid shall be provided for anyone that is not a legal alien or US citizen;" and an end of citizenship for those born in the U.S. to non-citizens.

"I am very disappointed that Ralph Nader would align himself with the Reform Party, a party that is anti-immigrant and anti-choice," said Penna McCook, a member of NOW and former chair of the South County Coalition for Community Concerns in Hillsborough County. "John Kerry will represent women and minorities with far more hope and compassion than any other candidate in this election," added de la community activist who has worked on migrant issues.

In addition, Shawn O'Hara, the Chairman of the Reform Party, favors a Constitutional amendment to ban abortion, adding, "anyone should get the death penalty." He has also worked on the defense team of the former Imperial Wizard of the KKK in Mississippi, in the firebombing death of civil rights activist Vernon Dahmer.

Ralph Nader has also received support from:

- The Michigan Republican state party, which gathered 45,000 signatures to put Nader's name on the ballot, compared to only 100,000 by actual Nader supporters.
- Major Republican donors who gave more than \$50,000 to Nader, including support from three major contributors to the right wing PAC Club for Growth.
- Ken Sukhia, a lawyer who provided key legal representation to President Bush during the 2000 Florida recount.

#### **More than Fifty National Peace Leaders Opposed to War in Iraq Release Letter to Potential Nader Voters**

"We stand with Nader in demanding that the cause of security and peace be at the top of the national agenda. But we will not vote for Nader in this election...the only practical way to safeguard the nation and the world is to vote for John Kerry for President of the United States on September 27, 2004"

WASHINGTON, D.C. – More than fifty peace leaders opposed to the war in Iraq today released a letter to all voters who may be casting their ballot for Ralph Nader this election. Activists and leaders who have organized against the war in Iraq, the proliferation of nuclear weapons, and the Bush Administration's policy of pre-emptive war signed the letter, which was organized by United Progressives for Victory (UPV).

Some of the individuals signing the letter are former Congressman Tom Andrews, Executive Director of Win Without War; Peter W. Singer, former US Ambassador and current Senior Diplomatic Fellow at the Center For Arms Control and Non-Proliferation; Dr. Robert K. Musil, Executive Director and CEO of Physicians for Social Responsibility; and John Isaacs, President of the Council for a Livable World.

Tom Andrews will be available to speak with members of the press about the letter. If you are interested in speaking with Andrews or arranging a radio or television interview, please call (202) 463-7528.

UPV for Victory includes progressives who have worked with Nader in the past and leaders with years of experience working on progressive issues including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice. For more information about the organization, please go to [www.upforvictory.com](http://www.upforvictory.com)

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The full text of the letter and a list of the signers are below:

**An Open Letter to Those Considering Voting for Ralph Nader**

The November 2 election must end the reign of President George W. Bush whose policies have dismantled what we -- and Nader -- have worked for years to achieve. At stake is the survival of progressive values that we and Ralph Nader hold so dear and the hope for a safer, stronger and better world.

Four more years of President Bush would result in the further undermining of international security: a new generation of nuclear weapons, a resumption of nuclear bomb testing, expansion of National Missile Defense, advancement of the doctrine of pre-emption, and the unilateral use of military force independent of the United Nations.

Bush supporters understand power and want to keep it. They have collected ballot signatures for Nader, they have sent him thousands of dollars in campaign contributions. They are using Ralph Nader to divide the progressive vote.

We cannot let them win.

We share Ralph Nader's concern for the condition of America's workers, consumers and citizens. We stand with Nader in that the cause of security and peace be at the top of the national agenda.

But we will not vote for him this election. We will not give George W. Bush four more years to destroy the causes for which we worked.

Your vote is your voice in this election. Make both of them heard loud and clear. Tell your friends and associates that the most practical way to safeguard the nation and the world is to vote for John Kerry for President of the United States.

Sincerely,

1. Edie Allen, President, Colombe Foundation Mass\*
2. Dorothy Anderson, MD, Physicians for Social Responsibility\*
3. Tom Andrews, Former Member of Congress (D-ME), Executive Director, Win Without War\*
4. Ed Arnold, Executive Director, Physicians for Social Responsibility/Atlanta\*
5. Diane Aronson, former executive director, Women's Action for Nuclear Disarmament\*
6. Former Congressman Lee AuCoin, Oregon
7. Catherine Barrett, State Representative, Ohio
8. Robert L. Borosage, Campaign for America's Future\*
9. Anne H. Cahn, American University
10. Mary R Cathcart, State Senator, Maine
11. Rev. Dagmar Braun Celeste
12. Susan Clark actor/activist
13. David Cohen, Co-Chair, Advocacy Institute\*
14. David Cortright, President, Fourth Freedom Forum\*
15. Susan Cundiff, Chapter President, Lane County WAND
16. Mary Byrd Davis, Director, Yggdrasil Institute, a project of Earth Island Institute\*
17. Elizabeth Dunn, Souhegan Wood Products, Inc.\*
18. Daniel Ellsberg, Author of Secrets: A Memoir of Vietnam and the Pentagon Papers
19. Meg Gage, Proteus Fund.\*
20. Peter W. Galbraith, Former US Ambassador, Senior Diplomatic Fellow, Center For Arms Control and Non-Proliferation
21. Sanford Gottlieb, 20/20 Vision\*
22. Raymond F. Grasp, M.D.
23. Roy D. Hankins MD, Physicians for Social Responsibility\*
24. Bettianne Hart, Georgia

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- 10044270353
25. Dudley Herschbach, Department of Chemistry & Chemical Biology, Harvard University\*
  26. Barbara Hildt, President, Youth Empowerment Services Inc., Massachusetts
  27. Amy Isaacs, national director, Americans for Democratic Action
  28. John Isaacs, President, Council for a Livable World\*
  29. Karen Jacob, Chapter President of WAND of Northern Indiana and President of the Board of Promoting Enduring Peace
  30. Peggy Maza Johnson, Citizen Alert of Nevada\*
  31. Carla Brooks Johnston, President, New Centuries Policies
  32. Fern Katz, Treasurer, Michigan WAND\*
  33. Alan Kay, entrepreneur and social innovator
  34. Jean Kilbourne
  35. Bob Kinsey, Green Party for Congress, CO-4\*
  36. Barbara Laing, executive director, Colorado Physicians for Social Responsibility\*
  37. Catherine Lincoln, California
  38. Priscilla McMillen, Harvard University\*
  39. Robert K. Muel, Ph.D., M.P.H., Executive Director and CEO, Physicians for Social Responsibility\*
  40. John O. Pastore, M.D., President-elect, Physicians for Social Responsibility\*
  41. Christopher Paine, Senior Analyst, Natural Resources Defense Council\*
  42. Mike Partschuk, Co-Chair, Advocacy Institute\*
  43. Gene Pokorny, Council for a Livable World
  44. Margo Okazawa Rey, Mills College, Women's Leadership Institute
  45. Dorothy Rupert, former State Senator, Colorado
  46. Claudine Schneider, former Member of Congress
  47. Susan Shaer, executive director, Women's Action for New Directions\*
  48. Sayre Sheldon, President Emerita Women's Action for New Directions
  49. John Shepherd, MD, President of Colorado Physicians for Social Responsibility\*
  50. Norman Solomon, Author and syndicated columnist
  51. Ivo Spelatin, Treasurer, Council for a Livable World
  52. Jeremy J. Stone, President, Catalytic Diplomacy
  53. Bann Tannenbaum, Ph.D., Federation of American Scientists\*
  54. Carlotta Tyler, Massachusetts
  55. Suleyken Walker, Boston
  56. Peter Wilk, M.D.
  57. Edith B. Wilde, President, Peace Through Law Education Fund\*
  58. Esther B. Wolf, Magnolia Neighborhood Peace Project\*
  59. Herbert York, Member, Pugwash Movement

\*Affiliation for identification purposes only

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**Exhibit 22**

**FEC Thangavelu Letter.**



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

June 23, 2004

RQ-1

William C. Oldaker, Treasurer  
United Progressives for Victory  
1730 Rhode Island Ave. NW, Suite 712  
Washington, DC 20036

Response Due Date:  
July 23, 2004

Identification Number: C00402297

Reference: Statement of Organization, dated 6/16/04

Dear Mr. Oldaker:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. An adequate response must be received at the Commission by the response date noted above. An itemization of the information needed follows:

-Any affiliated or connected organization must be identified on your Statement of Organization. For further guidance on affiliated committees and connected organizations, please refer to 11 CFR §§100.5(g) and 100.6. If there are no other committees or organizations with which you share control or financing, please indicate "None" on Line 6. If you do share control or financing with other committees or organizations, please list their names, addresses, and relationships on Line 6. 11 CFR §102.2

Unlike previous election cycles, you will not receive an additional notice from the Commission on this matter. Adequate responses received on or before this date will be taken into consideration in determining whether audit action will be initiated. Requests for extensions of time in which to respond will not be considered. Failure to provide an adequate response by this date may result in an audit of the committee. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action.

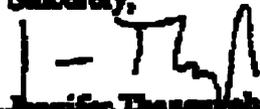
Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather

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then just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 1, then press 2 to reach the Reports Analysis Division) or my local number (202) 694-1143.

Sincerely,



Jennifer Thangavala  
Campaign Finance Analyst  
Reports Analysis Division

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**Exhibit 23**

**United Progressives for Victory FEC Statements.**

Presented by the Federal Election Commission

## Contributions Received By This Candidate's Committee(s)

### UNITED PROGRESSIVES FOR VICTORY

Party: No Associated Party

1730 RHODE ISLAND AVE., NW  
SUITE 712  
WASHINGTON, DC 20036

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Recipient's Name	Date	Amount	Image Number
<b>CONTRIBUTIONS</b>			
<u>AFL-CIO COPE POLITICAL CONTRIBUTIONS COMMITTEE</u>	09/09/2004	5000.00	<u>24971754136</u>
<u>AMERICAN FEDERATION OF STATE COUNTY &amp; MUNICIPAL EMPLOYEES - P E O P L E, QUALIFIED</u>	07/28/2004	5000.00	<u>24962093181</u>
<u>ARTS PAC</u>	09/14/2004	5000.00	<u>24971682011</u>
<u>ASSOCIATION OF TRIAL LAWYERS OF AMERICA POLITICAL ACTION COMMITTEE (ATLA PAC)</u>	07/19/2004	5000.00	<u>24962094701</u>
<u>CWA-COPE POLITICAL CONTRIBUTIONS COMMITTEE</u>	09/21/2004	5000.00	<u>24991250510</u>
<u>PUBLIC WORKS PAC INC; THE</u>	09/30/2004	2000.00	<u>24038532427</u>
<u>SERVICE EMPLOYEES INTERNATIONAL UNION COMMITTEE ON POLITICAL EDUCATION (SEIU COPE)</u>	09/03/2004	5000.00	<u>24962627581</u>

**TRY A: NEW QUERY**  
**RETURN TO: FEC HOME PAGE**

Presented by the Federal Election Commission

Individuals Who Gave To This Committee

UNITED PROGRESSIVES FOR VICTORY

Party: No Associated Party

1730 RHODE ISLAND AVE., NW  
SUITE 712  
WASHINGTON, DC 20036

The query you have chosen matched 19 individual contributions.

Contributor	Address	Date	Amount	Employer/Occupation	Image Number
<b>CONTRIBUTIONS FROM AN INDIVIDUAL</b>					
<u>BRANDON, ROBERT M</u>	WASHINGTON DC 20036	10/29/2004	1250.00	SELF/CONSULTANT	<u>249815470</u>
<u>BRANDON, ROBERT M</u>	WASHINGTON DC 20036	10/22/2004	2500.00	SELF/CONSULTANT	<u>249815470</u>
<u>BUTTENWIESER, PETER</u>	PHILADELPHIA PA 19118	10/22/2004	1500.00	SELF/CONSULTANT	<u>249815470</u>
<u>DREZNER, JEFFREY</u>	POTOMAC MD 20854	09/24/2004	994.00	HEALTHCARE COMMUNICATIONS GROU/THE	<u>249716710</u>
<u>EPPLER, DAVID</u>	BETHESDA MD 20814	11/01/2004	1000.00		<u>249815470</u>
<u>FEINSTEIN, ANDREW A</u>	MYSTIC CT 06355	10/29/2004	250.00	SELF/ATTORNEY	<u>249815470</u>
<u>HINDERY, LEO J JR.</u>	NEW YORK NY 10174	07/13/2004	5000.00	THE YES NETWORK/CHAIRMAN	<u>249716710</u>
<u>MILLER, KEN</u>	NEW YORK NY 10028	08/10/2004	1000.00		<u>249716710</u>

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<u>MOSES, BARBARA</u>	NEW YORK NY 10025	08/10/2004	1000.00	MARVILLO ABRAMOWITZ/LAWYER	<u>249716710</u>
<u>MULHAUSER, KAREN</u>	WASHINGTON DC 20036	01/14/2005	1125.00	SELF/CONSULTANT	<u>259708376</u>
<u>MULHAUSER, KAREN</u>	WASHINGTON DC 20036	06/04/2004	5000.00	SELF/CONSULTANT	<u>249618056</u>
<u>PICKETT, SHARON</u>	BETHESDA MD 20817	07/07/2004	250.00	SELF/CONSULTANT- COMMUNICATIONS	<u>249716710</u>
<u>PLESSER, RONALD L</u>	WASHINGTON DC 20008	10/22/2004	500.00	PIPER MARBURY RUDNICK & WOL/ATTOR	<u>249815470</u>
<u>ROSE, DAVID</u>	NEW YORK NY 10128	06/20/2004	5000.00		<u>249618056</u>
<u>SANCHEZ, SAMANTHA</u>	HELENA MT 59601	11/05/2004	250.00	ATTORNEY	<u>249815470</u>
<u>SHAPIRO, ROBERT</u>	CHICAGO IL 60610	06/20/2004	5000.00		<u>249618056</u>
<u>STERN, DAVID</u>	CHEVY CHASE MD 20815	10/22/2004	500.00	ED OF EQUAL JUSTICE WORKS/ATTORNEY	<u>249815470</u>
<u>STUART, ROBERT</u>	PHILADELPHIA PA 19103	10/22/2004	275.00	ADVOCACY INC./SENIOR VP	<u>249815470</u>
<u>WELLFORD, HARRISON</u>	WASHINGTON DC 20016	10/22/2004	500.00	LATHAM & WATKINS/ATTORNEY	<u>249815470</u>

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**RETURN TO: FEC HOME PAGE**

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**Exhibit 24**

**Brian Falter, "Nader to Be Absent from Florida Ballot," *Washington Post* (Sept. 11, 2004).**

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washingtonpost.com > Politics > Elections > 2004 Election

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## Nader to Be Absent From Florida Ballot

By Brian Faler  
Friday, September 10, 2004; Page A10

A Florida court ruled that independent presidential candidate Ralph Nader may not be on the state's Nov. 2 ballot — at least not yet.

Nader, who was nominated by the Reform Party, had planned to use its line on Florida's presidential ballot. But Democrats sued, contending that the Reform Party — a shadow of its former self — is no longer a legitimate national party, as state law requires. The court agreed.

The ruling prevents elections officials from certifying Nader's place on the ballot until a full hearing is held to evaluate whether his candidacy followed state law, the Associated Press reported. The decision also represents good news for Democrats, who fear that Nader's candidacy there might tip the battleground state to President Bush. Circuit Court

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  - Senate Bill Would Add 20 Million Legal Immigrants, Report Says

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Judge Kevin P. Davey predicted yesterday that his order would stand.

"I'm quite confident in the ruling. There's at least 15 reasons as to why they won't qualify, at least 15 that I counted up," Davey said. "If it was one or two, I'd be worried about it, but there's a whole lot of reasons Mr. Nader and Mr. [Peter] Camejo aren't going to appear on the ballot in Florida."

The Nader campaign has vowed to fight the decision in court.

### **Green Party's Blues**

It's not easy being Green. But it could be worse.

Green Party presidential candidate David Cobb has had to collect thousands of signatures to get his name on state ballots. But so far, he has escaped the sort of legal wrangling that Democrats have visited upon independent Ralph Nader's ballot drive.

The little-known activist, who won the Green nomination over Nader, has quietly added his name to about a half-dozen ballots, including those in Pennsylvania and Iowa. His campaign said it is awaiting certification in Ohio and New York. It has fallen short in other states, including Missouri, Illinois, Kentucky and Texas.

Some of Cobb's biggest headaches have come from within his own party, which is still recovering from its contentious presidential convention this summer. The state parties are supposed to put their official candidate on their ballots. But a rebellious Utah chapter has been unable to decide whether to support Cobb, leaving him, at least for now, off its ballot. The Vermont party will vote Sunday on whether to support Nader. Cobb's name is expected to appear on the ballot in most of the other 23 states, along with the District, where his party has automatic access to the ballot. In all, his campaign said, Cobb expects to be on the ballot in about 30 states.

Why have Democrats left Cobb alone? Former congressman Anthony J. "Toby" Moffett (Conn.), who is heading up an effort to sidetrack Nader's campaign, said that he is unsure whether Cobb's candidacy will actually hurt the Democrats -- and that his group doesn't have the resources to press both his and Nader's campaigns.

### **Cheney's Hard Sell**

Vice President Cheney continues to make the administration's case that the economy is growing. Yesterday, he said measurements of the nation's unemployment rate and consumer spending miss a key segment: people who make money selling on the auction Web site

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**Exhibit 25**

**Charles Lewis, "Political Mugging in America, Anatomy of an "Independent" Smear Campaign," *Center for Public Integrity* (March 4, 2004).**



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## Commentary

# Political Mugging in America

### Anatomy of an "Independent" smear campaign

By Charles Lewis

March 4, 2004 — As Mark Twain once put it, "A truth is not hard to kill and a lie told well is immortal."

In the 21st century in the United States of America, it is still astonishingly easy to assassinate a political opponent's character, with little or no accountability or basis in fact. It is hardly new to politics anywhere that money and the messages it buys often create devastating perceptions. But such smear tactics are more serious and offensive when they benefit major "mainstream" candidates seeking the Presidency, are utilized anonymously by mysterious, outside organizations and they occur in the wake of recent, historic, campaign finance reform and new political disclosure requirements.

On November 7, 2003, a strange new group no one had ever heard of called "Americans for Jobs & Healthcare" was quietly formed and soon thereafter began running a million dollar operation including political ads against then-frontrunner Democratic presidential candidate Howard Dean. The commercials ripped Dean over his positions or past record on gun rights, trade and Medicare growth. But the most inflammatory ad used the visual image of Osama bin Laden as a way to raise questions about Dean's foreign policy credibility. While the spots ran, Americans for Jobs—through its then-spokesman, Robert Gibbs, a former Kerry campaign employee—refused to disclose its donors.

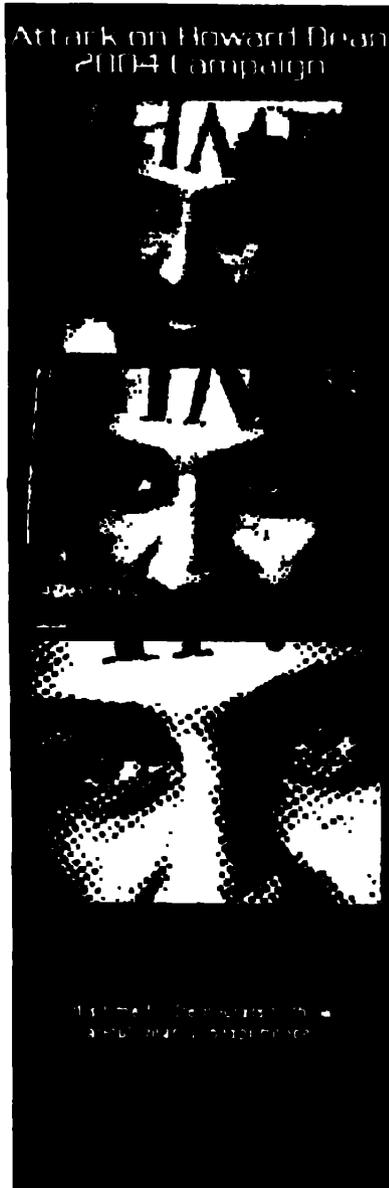
Today, Americans for Jobs released new disclosure forms to the IRS with an additional \$337,000 bringing the 527's total receipts to \$1 million.

The Dean campaign cried foul, but no one, including the news media, could figure out exactly who was behind "Americans for Jobs." The disturbing mystery was partly solved by Jim Vandehei of the *Washington Post* on February 11, after reviewing public Internal Revenue Service records filed under Section 527 of federal tax law. Unfortunately for voters and the general public, that [redacted] disclosure information was filed January 30, 2004, nine days after the Iowa caucuses in which Massachusetts Senator John Kerry upset former Vermont governor Howard Dean. Those contribution records were updated again with another \$337,000 in donations on March 4, 2004, for a total of exactly \$1 million that the group raised.

The most stunning single fact to emerge—which should have been covered more heavily nationwide and was first broken by the Web site PoliticsNJ.com—was that disgraced former Senator Robert Torricelli, severely admonished for his unsavory campaign finance practices and forced to leave the Senate, had quietly donated \$50,000 from his old Senate campaign account to Americans for Jobs. Torricelli reportedly also is a fundraiser for Senator Kerry's presidential campaign.

Why is one of the sleaziest former public officials helping Senator Kerry collect campaign cash? And now that Torricelli and other Kerry campaign donors have been "outed" for supporting the controversial group, why hasn't Kerry been directly asked about the entire controversy? Indeed, why hasn't the avowed campaign finance reformer publicly criticized either the caper or Torricelli? Kerry and his campaign

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staff declined to answer these and other related, on-the-record questions from the Center for Public Integrity. A Kerry spokesman, Chad Clinton, was quoted in the *Washington Post* as saying that "I am told no one knew anything about it."

Americans for Jobs was a street rumble after dark, in which donors or fundraisers for the major Democratic presidential candidates then overshadowed by Dean—Kerry, Rep. Richard Gephardt, and retired General Wesley Clark—all piled on. Labor unions that had publicly endorsed Gephardt accounted for a fifth of the money—the International Longshoremen's Association (\$50,000), the Laborers' International Union of North America (\$50,000), the International Association of Machinists and Aerospace Workers (\$100,000), the International Association of Ironworkers (\$25,000) and the International Brotherhood of Boilermakers (\$5,000). A former Dean donor, former Slim-Fast Foods businessman S. Daniel Abraham, gave \$200,000. Past Kerry donor Bernard Schwartz, chairman of Loral Space and Communications—the tenth leading donor to the Democratic Party, giving \$5.3 million over the years—chipped in \$15,000. A top money chaser for Wesley Clark, Alan Patricof, also donated to this shadowy group.

#### Related Documents

- "Facts" Ad by Americans For Jobs
- "Two Barrels Plain" Ad by Americans For Jobs
- Statement to the Center for Public Integrity from David Jones, Treasurer, Americans for Jobs

Indeed, a Center for Public Integrity study of the 28 contributors to Americans for Jobs found that they have given more than \$8.7 million to the Democratic Party in recent years and another \$550,000 to the committees of those running for president.

Among the greatest beneficiaries of these donations was Gephardt, who received more than \$417,000. In fact, at least 23 of the 28 people contributing to Americans for Jobs had donated to Gephardt in the past. Some of the donors are also aligned with Kerry and gave almost \$80,000 to his campaigns over the years.

Four of these 28 individual contributors had also given \$7,200 to Dean between March and July of 2003. One of the donors told the Center that he had no idea the money would be used on attack ads. Rick Sloan, the communications director for International Association of Machinists and Aerospace Workers, told the *LA Times*: "I tell you, these ads are deeplicable. If I have my way, we'll ask for a refund." But following his

remarks published on December 17, 2003, his labor union is reported to have made another donation to Americans for Jobs for \$50,000 on January 9, 2004.

Who exactly forms a stealth, hit-and-run operation in presidential politics today, up and down in six weeks, doing \$1 million worth of damage in advertising and other spending before the new federal, 30-day broadcast limit on political issue ads by outside groups kicked in December 21?

Americans for Jobs' address was 2000 M Street, N.W., Suite 800, in Washington, D.C., the same location for DWJ Consulting, its "custodian of records" one David W. Jones, apparently the group's executive director and a political adviser for years to Gephardt. Jones told the *Washington Post*, "Our goal was to point out where Howard Dean stood on the issues and point out that he had no foreign policy experience. Clearly those goals were accomplished." He denied that there was any coordination with the various presidential candidates. (See official statement from Jones.)

The registered e-mail address of Americans for Jobs belonged to Mark

W. Ward, a client specialist in the Washington, D.C., office of the billion dollar law firm of Skadden, Arps, Slate, Meagher & Flom LLP, one of the largest law firms in the world, which also has a large lobbying network representing companies like Verizon, Entergy-Koch LP, and Pharmaceutical Research & Manufacturers of America. Ward wrote the IRS a letter on Skadden Arps letterhead on Jan. 30, 2004 accompanying Americans for Jobs' first and so far only financial filing.

"Mark does our FEC filings and IRS filings," said Melissa Miles, an attorney with Skadden, Arps. The firm is listed as the recipient of \$36,000 in itemized expenditures from Americans for Jobs. Skadden Arps is also the fifth most generous career patron to Senator Kerry, its employees directly donating \$126,550 to his campaigns, its clients lavishing many times more than that over the years. In fact, the law firm and its employees are the largest donors to Kerry for the current election cycle. But Miles said Kerry "had nothing to do with [the 527] to our knowledge."

Hit-and-run political organizations are the bane of any open democracy. Who can forget the infamous Willie Horton commercial in the 1988 presidential campaign or the dozen groups all coincidentally friendly to George W. Bush that suddenly materialized in the 2000 GOP primary in South Carolina, spending millions of dollars and spreading the worst kind of vituperative bile to defame Senator John McCain and his wife? Who can forget the below-board tactics used to bring down incumbent Democratic Georgia Senator Max Cleland two years later, in which his opponent paid for TV commercials questioning the patriotism of Vietnam War hero Cleland. In an interview for *The Buying of the President 2004* (HarperCollins), McCain told me that the same people who quietly assisted Bush in South Carolina in his 2000 primary showdown there also were involved in Georgia. The slander was "run by the same people, [former Christian Coalition executive director and Bush "Pioneer"] Ralph Reed . . . The same outfit, the same organizations, and I will never, ever get over them running a picture of Max Cleland, Saddam Hussein, and Osama bin Laden, [this about] a man who left three limbs on the battlefield in Vietnam. That's just something I will never get over."

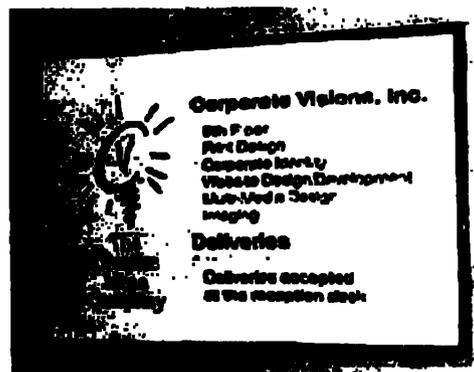
All of this underscores the profoundly disturbing state of our politics today. Storefront political hit squads can be created overnight, as easily as Internet investment scams, with candidates and the public victimized with nowhere to turn. Political operatives continue to form substantially unaccountable "cutout" organizations to quickly, effectively and virtually anonymously influence electoral outcomes. In fact, since 2000 there have been 42 groups who have filed only one disclosure report with the IRS. Collectively, these organizations still raised \$32 million in contributions, an average of about \$781,000 each, according to data compiled by the Center for Public Integrity.

The strutting and braggadocio of ostensibly independent organizations with impeccably and indubitably dependent pedigrees give the impression of a wild, wild west town with no sheriff and no jail. For example, according to *National Journal*, we have the Republican 501(c)(4) organization, Progress for America, which expects to raise \$40 million to \$60 million for television ads, direct mail and other "outreach" and "issue truth squads" on behalf of President Bush during 2004. Unlike 527s, this group is not required by law to publicly disclose its donors. The counsel for the group is Ben Ginsberg, also the chief outside counsel to the Bush campaign. Ken Mehlman, manager of the Bush-Cheney '04 campaign, and Ed Gillespie, chairman of the Republican National Committee, were among 150 party poobahs at a Willard Hotel bash for the organization last October.

The Democrats, meanwhile, have been aggressively raising money for several 527 surrogate party organizations, including the Media Fund, begun by Harold Ickes, the former Clinton White House deputy chief of staff who also serves on the executive committee of the Democratic



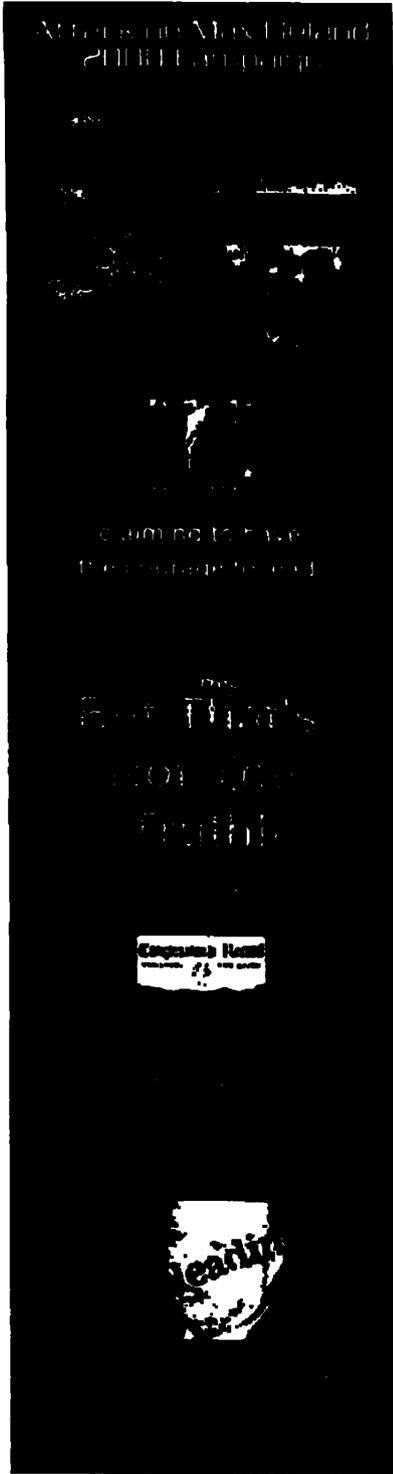
Americans For Jobs is run out of the eighth floor of this Washington, D.C., building on M Street



Many 527s are run out of obscure offices like this one, which Americans for Jobs lists as its primary address. After confirming that Corporate Visions runs no other companies out of that address, one of the owners said: "I subscribe space to Americans for Jobs and Healthcare."

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National Committee. Former President Clinton wholeheartedly supports and will help this effort designed to raise \$85 million for issue ads against Bush this year. Billionaire financier and philanthropist George Soros has announced that he will contribute \$10 million to another 527 group, America Coming Together, a huge voter mobilization effort."

Despite the valiant, well-intentioned efforts of the campaign finance reformers there is an unavoidable sense of chaos and opportunity for mischief. The Federal Election Commission, which unabashedly attempted to diminish the McCain-Feingold law with a 300-page "devil-in-the-details" rulemaking document, has an abysmal record of regulation and enforcement. In the nearly three decade history of the FEC, there has been only one successful case brought against a campaign for coordinating "independent" expenditures." With few if any records available on a timely basis, journalists find themselves in the dark, desperately seeking the dirty tricksters of 21st century America.

In the recent Iowa caucuses, we saw our first political mugging of the 2004 presidential campaign, Democrats sneakily slurring Democrats. It absolutely will not be the last, considering the remarkable cash advantage and sordid reputation of White House political director Karl Rove, who years ago taught negative campaigning techniques at the University of Texas. The bubble and unexpected implosion of frontrunner Dean's \$47 million candidacy will be studied for years to come, and no one can or should plausibly suggest that his political demise was substantially attributable to the attacks from Americans for Jobs or any other para-mudslinging subterfuge efforts we don't know about.

But shouldn't the American people, including the national news media, insist on knowing who is mucking around their democracy in the midst of a presidential election?

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\* Full disclosure: Since the mid-1990s, Soros' Open Society Institute has been a major supporter of various Center for Public Integrity projects.

{Charles Lewis is the executive director of the Center for Public Integrity. Agustin Armendariz, Alex Knott and Alexander Cohen contributed research.}

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**Statement to the Center for Public Integrity from David Jones,  
Treasurer, Americans for Jobs.**

**"Our goal is to focus on public policy issues of critical importance.**

**At all times, Americans for Jobs has acted in a manner fully in accordance with the law and under advice from legal counsel. The organization does not coordinate with any federal candidate or campaign and none were informed of our plans to run advertisements or as to the content of those advertisements.**

**The content of our three advertisements was entirely factual and sourced from news organizations.**

**Foreign policy experience, the National Rifle Association's ratings, Medicare funding and trade policy are important issues that need to be discussed and debated."**

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**Exhibit 26**

**United Progressives for Victory Press and Media Page 2.**

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### **Colorado Progressives Release Letter to Potential Nader Voters**

**"We share Ralph's passion, but we will not vote for him this election. We will not give George Bush four more years."**

**September 18, 2004**

WASHINGTON, D.C. - Progressive leaders in Colorado today released a letter to all voters in the state considering casting their ballot this election. The letter was organized by United Progressives for Victory (Up for Victory), an organization of progressive leaders and Nader associates concerned that the his candidacy will help re-elect George Bush. Below is the text of the letter and the list of signers.

#### **AN OPEN LETTER TO THOSE CONSIDERING VOTING FOR RALPH NADER**

This election is about ending the reign of George Bush who is intent on dismantling and destroying all that we - and Ralph Nader - have years to achieve. This election is about the survival of progressive values that we, you and Ralph, hold so dear.

For years, often alongside organizations created or inspired by Nader, we have fought for social and economic justice, for access to a cleaner environment, for better education for our children, for better jobs for our workers, and for an economic and healthy rural America.

Another four years of George Bush is four more years of the right wing intent on destroying our environmental and consumer protection, our public education system and civil liberties, revoking a woman's right to choose, sending jobs overseas, undermining the right to life, taking away programs from working and farm families to give tax breaks to the very rich.

Republicans understand power and they want to keep it. They will continue to use whatever means are necessary. They have collected signatures across the nation for Nader, they have sent him tens of thousands of dollars in campaign contributions. They are using fear to divide and conquer the progressive vote.

We can't let the right wing win.

We share Ralph's passion for America's workers and consumers. We stand with him in demanding that all have access to healthcare, that we have to work to keep our economy strong, our children healthy and our communities safe. We, too, value a more peaceful United States is again respected.

But we will not vote for him this election. We will not give George Bush four more years to destroy the programs on which we have

Your vote is your voice this election. Make both of them heard loud and clear. The only real chance to safeguard Ralph Nader's legacy is John Kerry.

Sincerely,

**Mark Schwane, Executive Director AFSCME Colorado**

**Polly Baca, Former State Senator**

**Ernest L. Duran Jr., UFCW Local 7**

**State Senator Ron Tupa**

**Marguerite Salazar**

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John Stencal, President Rocky Mountain Farmer's Union  
Sally Martin, Former member Boulder City Council  
Will Toor, Former Mayor Boulder and current City Council member  
Elisabeth Peterson  
Aime Fournier, Peace activist  
Mary Ann, Peace activist  
Rich McClintock, Former Executive Director of CO PIRG  
Ruth Wright, Former state legislature and environmental activist

\*Affiliations listed for identification purposes only

**Iowa College Students and Agricultural Leader Speak out Against Ralph Nader's Candidacy during his Visit to ti  
Friday September 17, 2004**

WASHINGTON, D.C. – University students from Iowa and a prominent agricultural leader from the state today spoke out against the  
Ralph Nader, who is visiting Cedar Falls and Iowa City today to speak to students at the University of Northern Iowa and the Univer

United Progressives for Victory (UP for Victory), an organization of progressive leaders and former Ralph Nader associates concern  
candidacy will help re-elect George Bush, released the quotes from Iowans opposed to Nader's run for the White House.

"It's great that Nader's talking about these important issues," said Karen Emmerson, a junior at the University of Iowa. "Bu  
of Bush won't achieve any real progress on them."

"Howard Dean made millions of students and young voters believe that we can change the Democratic Party from within a  
our country better. Voting for Ralph Nader will not accomplish that goal," Kateri Mello, a former student staffer for Howar  
student at the University of Iowa.

"Ralph Nader became a big influence in the fight for workers' rights and justice for family farmers. I continue to respect Ra  
am very disappointed with his presidential campaign because it has such a potential impact to change the election and sto  
progressive movement," Chris Peterson, a prominent agricultural leader in Iowa .

"We have to make a choice between going forward or making an even sharper turn to the right with this election. I respec  
and support his position on most issues, but this is not the time to fall for Republican tricks," Steve Wieland, Junior at Cor  
Mount Vernon, Iowa.

UP for Victory also called on Ralph Nader to disclose his campaign's close ties to Republicans and right-wing conservatives. In Iowa  
gathered signatures from Bush supporters leaving a campaign rally in Cedar Rapids, saying that they had a petition about "a projec  
president." [ Associated Press , 7/22/04; WOI-TV.com, 07/21/04]. Nader has also received more than \$50,000 in contributions from  
Republican donors, including support from three major contributors to the right-wing conservative PAC Club for Growth. And in Flo  
lawyer who provided key legal representation to President Bush during the 2000 Florida recount, is representing the Nader campai  
see the rest of this site)

**Minnesota Progressives Release Letter to Potential Nader Voters**

**"We share Ralph's passion...but we will not vote for him this election. We will not give George Bush four more years..."  
Friday September 17, 2004**

**DOWNLOAD A COPY OF THE LETTER. [PDF]**

*You will need Adobe® Reader® to view this file*

WASHINGTON, D.C. – Progressive leaders in Minnesota, including a state senator, labor activists, environmentalists and a former  
presidential candidate Dennis Kucinich, today released a letter to all voters in the state considering casting their ballot for Ralph Nac  
The letter, organized by United Progressives for Victory (Up for Victory), states:

**This election is about ending the reign of George Bush, who is intent on dismantling and destroying all that we – and Ralph**

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have worked for years to achieve. Your vote on November 2nd will determine not only the Presidency, but the survival of progressive values that you, Ralph, and we, hold so dear.

We cannot let the right wing win. We cannot let our democracy be stolen again. We share Ralph's passion ... But we will not vote for Ralph Nader this election. We will not give George Bush four more years to destroy the programs on which we have worked.

Your vote is your voice in this election. Make your voice heard, and make your vote count on November 2nd.

The letter is signed by Ellen Anderson, State Senator; Pete Banner, Executive Director for AFSCME, Minnesota, Council 8; Marty environmental activist; C. Scott Cooper, progressive community leader; Pam Costain, human rights activist; Ronnie Cummins, Food Organic Consumers Association; Mel Duncan, progressive leader; Dave Foster, United Steelworkers of America District 11; Nancy naturalist, President of Environment 2004; Javier Morillo, Political Director, SEIU; Janelle Rau-Clauson, Political and Communications Local 284; Jeannette Reber, President, SEIU Local 26; John Sherman, Kucinich campaign advisor; Tim Stanley, pro-choice activist, President, Minnesota AFL-CIO; and Larry Weiss, Executive Director, Citizens Trade Campaign. (NOTE: Affiliations listed for identification only.)

Below are signers who would be available for interviews with local members of the press:

- Nancy Gibson, author and naturalist, Environment 2004 - (952) 927-5512
- Javier Morillo, political director, SEIU - (651) 203-0401
- Pam Costain, human rights activist - (612) 260-1112.

#### Wisconsin Progressives Release Letter to Potential Nader Voters

**"We share Ralph's passion...but we will not vote for him this election. We will not give George Bush four more years..."**  
Wednesday September 15, 2004

DOWNLOAD A COPY OF THE LETTER. [PDF]

*You will need Adobe® Reader® to view this file*

WASHINGTON, D.C. – Progressive leaders in Wisconsin, including a former U.S. Senator, the mayor of Madison, student activists, and the current Attorney General, today released a letter to all voters in the state considering casting their ballot for Ralph Nader this election, organized by United Progressives for Victory (Up for Victory), states:

This election is about ending the reign of George Bush, who is intent on dismantling and destroying all that we – and Ralph have worked for years to achieve. Your vote on November 2nd will determine not only the Presidency, but the survival of progressive values that you, Ralph, and we, hold so dear.

We cannot let the right wing win. We cannot let our democracy be stolen again. We share Ralph's passion ... But we will not vote for Ralph Nader this election. We will not give George Bush four more years to destroy the programs on which we have worked.

Your vote is your voice in this election. Make your voice heard, and make your vote count on November 2nd.

The letter is signed by Gaylord Nelson, Former U.S. Senator and Founder of Earth Day; Spencer Black, Wisconsin Representative; Sierra Club Four Lakes (Dane County) Group; Dave Cieslewicz, Mayor of Madison; Chuck Erickson, Dane County Supervisor & Six Lakes Group Conservation Chair; Bath Gross, Dane County Supervisor (Progressive Dane Party); Bob Hudak, Co-Director of Wisconsin Action; Brett Hulsey, Dane County Elected; Austin King, Madison Alderman; (Nader 2000 Supporter); Peg Lautenschlager, Wisconsin General; Emily McWilliams, Chairwoman, Associated Students of Madison; David Newby, President of Wisconsin AFL-CIO; Mark P Representative, 78th Assembly District; Sheldon Rampton, Co-Author, Banana Republicans and Weapons of Mass Deception; Joel of the Center on Wisconsin Strategy and Founder of the New Party; Kelda Helen Roys, Pro-choice leader; and John Stauber, Co-author, Banana Republicans and Weapons of Mass Deception. (\*Affiliations listed for identification purposes only.)

**United Progressives for Victory Points to Latest Evidence of Nader's GOP Support: Hiring George W. Bush's Fictitious Recount Lawyer**

Tuesday September 14, 2004

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WASHINGTON, D.C. – United Progressives for Victory (UP for Victory), a Federal PAC that is an alliance of prominent progressive organizations committed to defeating Bush and his radical agenda, today pointed to the latest evidence that Ralph Nader's campaign right-wing support – its hiring of Ken Sukhia, a Florida lawyer who represented George W. Bush in the 2000 recount.

Sukhia was appointed as a U.S. attorney by President George H.W. Bush and has represented Gov. Jeb Bush to defend an anti-abortion currently representing Nader in Florida, where a judge has temporarily ordered Nader's name off the ballot as a Reform Party candidate pending lawsuit that challenges the party's status and its nomination process.

Around the country, Nader has accepted large contributions from Bush-Cheney supporters, has hired GOP political firms to gather and has benefited from phone-banking and fund-raising by conservative groups that are seeking to promote Nader and siphon votes from Kerry.

"Without genuine grassroots progressive support, Ralph Nader has had to rely on right-wing Republicans to help his candidacy," said Mulhauser, a senior advisor to UP for Victory and longtime leader in women's, peace, and international development issues. "Now a same lawyer who helped Bush prevail in the Florida recount in 2000. Even though Nader is allowing the Republicans to try out their strategy, progressives must not fall for this effort to split our vote and keep Bush in office for another four years."

"Ralph Nader does not have the national grassroots support he once had, but Republicans are trying to make up for the difference," said Brandon, a public interest attorney active in consumer issues who worked for Nader in the 1970s and a founder of UP for Victory. "It is disheartening to those of us who have worked with Ralph to see him forming politically expedient alliances with the far right. We are dismayed that Ralph is allowing the right wing to use his candidacy to hurt progressive causes, which will suffer an enormous blow if Bush is re-elected."

**United Progressives for Victory : Chicago Progressives React to Nader's Visit to Loyola University  
Tuesday September 14, 2004**

WASHINGTON, D.C. – United Progressives for Victory (UP for Victory) today released the following quotes from progressives in Chicago of Ralph Nader's scheduled speech at Loyola University tonight:

**U.S. Representative Jan Schakowsky (D-IL):**

"I share Ralph Nader's lifelong commitment to social and economic justice, but I am saddened and disappointed by his actions that have helped George Bush once again. Anyone who shares Nader's priorities must reject his candidacy because we cannot afford another four years of Bush."

**Margaret Blackshere, President of Illinois AFL-CIO:**

"Ralph Nader is not on the ballot in Illinois, but his run for President will be felt by millions of workers across the country who have suffered under the Bush Administration. George Bush is on a mission to weaken labor laws, to take away workers' right to organize, and to ship jobs overseas. Sadly, Ralph Nader may help him accomplish those goals."

**Jennifer Koehler, President, Chicago Chapter, National Organization for Women (NOW):**

"Nader is completely out of touch with women's issues. He has said publicly that he does not believe *Roe v. Wade* will be overturned. He is once again getting into the president race and jeopardizing women when our most fundamental constitutional rights are at stake. He has again proven that he is not the progressive that he claims to be when it comes to the concerns of women and girls."

**Alderman Joe Moore, 49th Ward:**

"Another four years of George Bush would be disastrous for my community. The priorities of the Bush Administration such as unwarranted adventures abroad and tax cuts for the rich are robbing my community of the resources it needs. Ralph Nader's candidacy can do nothing to help guarantee four more years of George Bush in the White House and his disastrous policies."

**William McNary, Co-Director of Citizen Action/Illinois:**

"Any progressive who votes for Ralph Nader is voting for George Bush. It is no secret that right wing Republicans are financing Nader on the ballot in battleground states. Any progressive says there is no difference between John Kerry and George Bush is either politically naïve or a political elitist. This election is about whether we curb the attacks on women's rights, affirmative action, workers' rights, gay rights, rights of the disabled. Every hard won, hard fought political and Constitutional protection will be stricken or lost with one Supreme Court decision."

This is the most important presidential election of our lifetime. We cannot afford to flirt with a luxury of a Ralph Nader candidacy."

**Jack Darin, Director of the Sierra Club, Illinois Chapter:**

"Pro-environment voters learned the hard way in 2000 what can happen to environmental protection if we don't make our votes for F clean air and water. The Bush Administration's polluter-friendly policies have put Illinois at risk by rolling back protections against px want to turn back the tide of loopholes and rollbacks need to make sure their vote counts on November 2."

**Ryan Canney, Organizing Director, Citizen Action/Illinois and Nader voter in 2000:**

"As a college student in 2000, I voted for Ralph Nader because I thought he was the most progressive candidate. In 2004, I will vote because he is the most progressive candidate who has a shot at winning the presidency. With the election of George W Bush, it be issues like universal health care and stronger environmental protections would be difficult, if not impossible, to move forward with. moving a progressive agenda forward hinges on the election of John Kerry as President in 2004."

**United Progressives for Victory: Nader's "Right-Wing Swing" through Michigan and Battleground States Support Republicans**

**Monday September 13, 2004**

WASHINGTON, D.C. -- United Progressives for Victory (UP for Victory) today said that Ralph Nader should not waste time speaking visiting Michigan, but should instead head directly to 2121 E. Grand River in Lansing, the headquarters of the Michigan Republican I personally thank the GOP for helping to place him on the ballot. In Michigan, the Republican state party gathered 45,000 signature name on the ballot, compared to only 5,000 gathered by actual Nader supporters.

Nader will speak at Michigan State University and the University of Michigan today as part of his weeklong "Right-wing Swing" through states. UP for Victory called on Nader to tell voters the truth about his widespread support from right-wing conservative groups and donors from across the country.

In Ohio, for example, Republican voters and GOP officeholders, including a County commissioner, and a County Party chair signed Nader on the ballot. Nader has also received more than \$50,000 in contributions from major Republican donors, including support contributors to the right-wing conservative PAC Club for Growth. And in Florida, the Nader campaign is being represented by Ken who provided key legal representation to President Bush during the 2000 Florida recount.

UP for Victory added that Nader has even sought out the nomination of the Reform Party, an anti-immigrant group that is led by Pat Nader is a first-generation American and a son of immigrants from Lebanon.

"Americans, including Arab Americans, respect Ralph Nader, support his values and admire his commitment to moving forward a pr of universal health care, better jobs and superior public education. That is why immigrants and progressives in Michigan are disap: Nader's campaign has become a tool of the right wing. We need new leadership in this country and in the world and the only way v defeating George Bush," said Ismael Ahmad, a prominent Arab American leader and community activist in Detroit.

UP for Victory is an organization of progressive leaders and former Ralph Nader associates concerned that the Nader candidacy will George Bush. The organization includes progressives who have worked with Nader in the past and leaders with years of experien progressive causes including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constituti care and workers' rights, and social and economic justice. For a complete list of supporters and additional information about the on see the rest of this site.

**United Progressives for Victory Asks Nader to Tell the Truth when he Hits the Road on his Right-Wing Swing of States**

**Ohio Voters Must Know who Really Supports Nader**

**Monday September 13, 2004**

WASHINGTON, D.C. -- On his right-wing swing through Ohio and other battleground states this week, United Progressives for Vict: called on Ralph Nader to tell the truth and fully disclose to voters the extensive support he is receiving from Republicans and Bush r Victory is an organization of progressive leaders and former Ralph Nader associates concerned that the Nader candidacy will help r

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Bush.

In Ohio, Republican voters and GOP officeholders, including a County commissioner, and a County Party chair signed petitions to put Nader's name on the ballot. Nader has also received more than \$50,000 in contributions from major Republican donors. In Michigan, the Republican Party gathered 45,000 signatures to put Nader's name on the ballot, compared to only 5,000 gathered by actual Nader supporters. And in Florida, Nader's campaign sought the help of Ken Sukhia, a lawyer who provided legal representation to President Bush during the 2000 Florida re-election.

"Since we share so many of his values, it is disheartening to see the Republicans using Ralph Nader's campaign to help re-elect George W. Bush when Nader is unable to mobilize grassroots support, Republicans are stepping in with donations, legal advice and volunteers. We are going to succeed. As progressives, we know that the only way to defeat George Bush is to unite against the Right," said Karen Mulhauser, a senior advisor to the group and longtime leader in women's, peace, and international development issues. She added that in 2000, Bush won by 15 percentage points; Nader earned 2.5% of the vote.

UP for Victory includes progressives who have worked with Nader in the past and leaders with years of experience working on programs including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice. For a complete list of supporters and additional information about the organization, please visit our website.

**Ralph Nader Gets More than Just Right-Wing Conservative Campaign Donations  
Michigan Appeals Court Rules in Favor of Republicans to Allow Nader to Appear on Ballot  
Friday September 3, 2004**

WASHINGTON, D.C. – United Progressives for Victory (UP for Victory), an organization of progressive leaders and former Ralph Nader supporters, is concerned that the Nader candidacy would help re-elect George Bush, today pointed to the decision by the Michigan Court of Appeals as evidence that Nader's candidacy is bankrolled by the Republicans. The Court ruled on behalf of Republicans in the state after they demanded that Ralph Nader appear on the ballot.

"Republicans in battleground states have been working just as hard for Ralph Nader as they have for George Bush. The decision underscores to what lengths the Republicans are willing to go to place Nader on the ballot," said Karen Mulhauser, a senior advisor to UP for Victory and longtime leader in women's, peace, and international development issues.

The Republican Party in Michigan gathered 45,000 signatures to put Nader's name on the ballot, compared to only 5,000 gathered by actual supporters.

"From raising thousands of dollars from right-wing conservative groups like the Club for Growth, to using Republican firms to collect signatures, conservatives are exploiting Ralph Nader's candidacy for their own agenda," added Mulhauser.

According to research conducted by UP for Victory, a federal PAC formed by progressive leaders and former Nader friends and supporters, an Election Commission (FEC) report through July found that Nader has received nearly \$50,000 in large contributions from Bush supporters. The contributions included \$6,000 from four major donors to Club for Growth, a 527 organization and PAC that has raised \$13.5 million from moderate Republicans and elected conservative Republicans. Those same donors have also given \$1,000 and \$2,000 contributions to Nader's campaign.

UP for Victory includes progressives who have worked with Nader in the past and leaders with years of experience working on programs including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice.

**United Progressives for Victory Uncovers More Evidence of Right-Wing Conservatives Bankrolling Ralph Nader  
Report Finds Republican Large-Donor Support for Nader Doubles to \$50,000  
Major Contributors to Club for Growth, a Right-Wing 527 and PAC, Write Checks to Nader in Effort to Boost Bush  
September 1, 2004**

WASHINGTON, D.C. – United Progressives for Victory (UP for Victory) today released more evidence that the success of Ralph Nader's campaign is a top priority for Republicans, including the right-wing conservative 527 Club for Growth.

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According to research conducted by UP for Victory, a federal PAC formed by progressive leaders and former Nader friends and an Election Commission (FEC) reports through July found that Nader has received nearly \$50,000 in large contributions from Bush camp. The contributions included \$8,000 from major Club for Growth givers.

"It's truth or dare time for Ralph Nader. Ralph can finally admit the truth that there is an organized Republican plan to use him to be he can dare to return the right-wing money from conservatives who are doing whatever it takes to keep Bush in the White House," said Muthauser, a senior advisor to the group and longtime leader in women's, peace, and international development issues.

"As someone who worked for Ralph Nader in the 1970s and respects his work on behalf of progressive causes, I am disturbed that by Republicans in an effort to help re-elect Bush and further destroy our shared progressive agenda. Republicans and right-winger and Ralph Nader is nothing more than a means to an end – the end of the progressive agenda, that is, through a second Bush Adm Robert Brandon, a public interest attorney active in consumer issues and a founder of UP for Victory. Four of the largest Club for Growth, a 527 organization and PAC that has raised \$13.5 million to help defeat moderate Republicans and elect conservative have also given \$1,000 and \$2,000 contributions to Ralph Nader. All four are wealthy investors who have close ties to investment companies. These individuals have given the Club for Growth 527 a combined \$217,000 this election cycle and \$8,000 to Nader. I have also contributed thousands of dollars to the Club for Growth's PAC and to individual, largely conservative, Republican candidates.

Club for Growth contributors who also gave to Ralph Nader are:

- Jeff Yess contributed \$125,000 to the Club for Growth 527 this election cycle and gave Nader \$2,000.
- Travis Anderson gave the Republican 527 \$31,500 and Nader \$2,000.
- Rex Martin gave the 527 \$10,000 and Nader \$1,000.
- Oliver Grace gave \$31,500 to the 527 and \$1,000 to Nader.

Additional examples of Republican donors giving to Nader include:

- Thomas and Catherine Walkey, of Dover, Massachusetts, who each gave Nader \$2,000 and have contributed to Bush camp Walkey, a financial advisor, also gave \$10,000 in December 2003 to the Republican National Committee (RNC).
- George Rogers, of Falls Church, Virginia, gave \$2000 to Nader and a combined \$7,000 to Bush-Cheney and RNC combine
- Clifford Schroeder, of Richmond, Virginia, gave \$2,000 to Nader and thousands to Republican candidates.
- Manal Saab, connected to Ghassan Saab, a Michigan developer who has given \$30,000 to the RNC since 2001 (as discussed in Chronicle 7/8/04 article) gave Nader \$2,000. He and his family are major donors to Michigan Republican candidates at all levels.

The information for this release was prepared by Dr. Don Wiener, a union and consumer activist, who worked closely with Nader in the 1980s and 1990s on national campaigns against tort reform and NAFTA and for environmental laws. Wiener is now a campaign Victory.

#### **United Progressives for Victory on Decision to Keep Ralph Nader Off Ballot in Oregon**

**September 1, 2004**

WASHINGTON, D.C. – Robert Brandon, a public interest attorney active in consumer issue and a founder of United Progressives for Victory), issued the following statement after Oregon's Secretary of State Bill Bradbury said that Ralph Nader failed to qualify for the

"Ralph Nader has suffered some major setbacks this week that clearly demonstrate his lack of grassroots support. Even with major wing organizations, Ralph Nader is already off the ballot in Oregon. The conservative Oregon Family Council and Citizens for a So couldn't deliver the state to him.

"I worked with Ralph Nader in the 1970s and continue to share his values, however, this election is too important to remain on the sidelines working families and progressives across our country cannot afford another four years of George Bush."

In addition to Oregon, Nader failed to qualify to appear on the ballots in Missouri, Michigan, Pennsylvania, Texas and Massachusetts.

UP for Victory, a federal PAC, includes progressives who have worked with Nader in the past and leaders with years of experience.

progressive causes including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional care and workers' rights, and social and economic justice.

**United Progressives for Victory Issues Challenge to Nader Supporters Protesting GOP in New York:**

**Ask Ralph Nader to Explain His Support from Republicans and Right-Wing Organizations**

**August 31, 2004**

WASHINGTON, D.C. – United Progressives for Victory (UP for Victory), a Federal PAC that is an alliance of prominent progressive organizations committed to defeating Bush and his radical agenda, today issued a challenge to Ralph Nader supporters in New York the Bush presidency and the Republican National Convention.

UP for Victory leaders called on Nader supporters in New York to demand an explanation from their candidate as to why he is allow and right-wing organizations to support and bankroll his presidential campaign.

"Ralph Nader supporters are being exploited by the same Republican President and right-wing special interest groups they are protesting New York," said Karen Mulhauser, a senior advisor to the group and longtime leader in women's, peace, and international development. "Progressives must not fall for the Republican divide-and-conquer strategy that could split our vote and keep Bush in office for another

"Ralph Nader does not have the national grassroots support he once had, but Republicans are trying to make up for the difference," Brandon, a public interest attorney active in consumer issues who worked for Nader in the 1970s and a founder of UP for Victory. "kick Bush out of office is for progressives to unite behind John Kerry."

Republicans from across the country have mobilized on behalf of Nader, making financial contributions and collecting signatures to : in various battleground states where he will draw votes away from John Kerry and help to re-elect Bush. For example:

- The Republican Party in Michigan gathered 43,000 signatures to put Nader's name on the ballot, compared to only 5,000 from Nader supporters. Now Republicans are asking the State Court of Appeals to allow Nader's name to appear on the ballot. Press, 8/30/04]
- Nader is seeking ballot access in seven states where the Reform Party, now dominated by the Buchanan faction, claims a line on the presidential ballot. In 1994 the party worked side by side with Newt Gingrich to forge the Republicans' disastrous America." The Pittsburgh Post-Gazette reported the national Chairman of the Reform Party, Shawn O'Hara, as saying: "I'm can to make sure John Kerry never gets around the White House."
- In Arizona, the Nader campaign hired a petition company that was also working to gather support for an anti-immigrant ballot by the far right and received support from a Republican consultant who was working to roll back the state's "clean election" law.[The American Prospect Online, 8/25/04]
- The ultra-conservative, anti-tax, antigovernment Citizens for a Sound Economy, founded by Texas Republican and former H Leader Dick Army, is urging its members to help Nader get on the ballot in key battleground states. Right-wing social conservatives the pro-life, anti-gay Oregon Family Council, have also worked to gather signatures for Nader in the hopes that this will help bid for re-election. [ Chicago Sun-Times , 8/12/04; Oregonian , 8/24/04]
- This summer, Nader's campaign paid \$75,000 to a well-known conservative political consulting firm that specializes in gathering ballot petitions. California-based Arno Political Consultants has helped a long list of GOP clients, including Ronald Reagan, George H.W. Bush, as well as corporate interests and groups that Nader has battled in the past such as the Tobacco Institute, Rifle Association and the California Timber Association. [ Associated Press , 8/24/04]

Nader sought out and accepted the nomination from the Reform Party. The Reform party is dominated by Pat Buchanan supporters approved a reactionary and anti-immigrant plank during its convention on October 10, 2003.

UP for Victory includes progressives who have worked with Nader in the past and leaders with years of experience working on progress including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care rights, and social and economic justice. These leaders include: Gloria Steinem; Peter Edelman; Carol Foreman; Bob Borosage; MI Holtzman; Kim Gandy; Deb Callahan; Gloria Totten; Tom Andrews and Heather Booth.

For a complete list of supporters and additional information about the organization, please see THIS PAGE

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## **UNITED PROGRESSIVES FOR VICTORY DEEPENS IMPACT ON PRESIDENTIAL ELECTION**

**Progressives Continue Effort to Convince Voters that Support for Nader Will Throw Election to Bush**

**July 26, 2004**

[Washington, DC] United Progressives for Victory (UPV), an alliance of prominent progressive leaders and organizations, has deepened its impact on the 2004 Presidential Election during the last two months. Since being founded in early June, UPV has been mobilizing to convince voters that supporting a progressive agenda will be further jeopardized if they support Ralph Nader's candidacy.

The group, which includes leaders with years of experience working on progressive issues including peace and foreign policy, the environment, consumer rights, women's issues, civil rights and constitutional rights, health care and workers rights and social and economic justice, is promoting their progressive agendas and convincing people that "a vote for Nader is a vote for Bush." They make the case for electing a candidate for stopping George Bush's radical agenda and assault on progressive values and policies.

"Most recent polls, indicate a very close election nationally and in key battleground states, with Nader's vote potentially throwing the election again. For example, the latest ABC/Washington Post poll has the election Kerry 46%, Bush 46% and Nader 4%.

"We are organizing a group of progressives that realize the huge stakes in this election," said campaign manager, Karen Mulhauser in women's, peace and international development issues. "We need to unify and ensure that our issues are part of the next administration. Our fear is that if progressive voters support Ralph Nader in the election, it could very well lead to a Bush victory."

Robert Brandon, a public interest attorney active in consumer issues and who worked for Nader in the 70s, pointed out the important message to other progressives around the country. "We know that Ralph Nader and John Kerry share our progressive values and worked hard to destroy them. The choice in 2004 should be easy for progressives," he said.

UPV leaders also expressed great concern about Republican efforts to get Nader on the ballot in several states where he has gained support on his own. There is only one agenda behind Republican money and people on behalf of Ralph Nader-- to re-elect George W. Bush and undermine Nader's claim that he is an independent candidate.

Some of the individuals endorsing the effort include Gloria Steinem, Peter Edelman, Carol Foreman, Bob Borosage, Mike Barnes, L. Moffett, Kim Gandy, Deb Callahan, Gloria Totten, Tom Andrews and Heather Booth. (Click [HERE](#) for a full list of endorsers)

The organization has launched a Web site built by former members of Howard Dean's Web team. It is a resource for grassroots groups to organize local progressive coalitions that will reach out to potential Nader voters. Organizers are building a national community of concerned about the issues at stake in the election and to provide viewers with the information and tools to become immediately mobilized.

Recent accomplishments include:

- UPV has united with Progressive Majority and Don't Vote Ralph, in order to bring progressive messages regarding Nader's candidacy to broader audiences.
- UPV has supported research done by Greenberg Research to learn more about potential Nader voters, and what messages are most effective in persuading them to vote for Kerry instead of Nader this year.

UPV has launched a companion organization, Uniting People for Victory, a 527 that will use resources for issue campaigns. The national and state groups will collaborate to build a base of support and bring value to established groups to advance a stronger progressive agenda.

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**Exhibit 27**

**DNC Membership Roster 2004-2008.**



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# DEMOCRATIC NATIONAL COMMITTEE

## MEMBERSHIP ROSTER

### 2004 - 2008

Compiled by the Office of the Secretary  
As of Monday, November 08, 2004

\* denotes Chair  
# denotes member of the Executive Committee

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#### OFFICERS

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Dennis Fulmanono	American Samoa Democratic Party	P.O. Box 485 Pago Pago, AS 96799	W:011-884-633-40 F:011-884-833-163
Paul Hegarty	Arizona Democratic Party	2910 North Central Ave. Phoenix, AZ 85012	W:602-298-4200 F:602-298-7117
Michael Cook	Arkansas Democratic Party	1300 W. Capitol Ave. Little Rock, AR 72201	W:501-374-2381 F:501-378-8409
Kathy Bowler	California Democratic Party	1401 21st St., Ste. 100 Sacramento, CA 95814	W:916-442-5707 F:916-442-5715
Julie DeWoody	Colorado Democratic Party	777 Santa Fe Drive Denver, CO 80204	W:303-623-4782 F:303-623-2443
Leslie O'Brien	Connecticut Democratic Party	380 Franklin Ave. Hartford, CT 06114	W:860-580-1775 F:860-298-1522
Nicole Mejaski	Delaware Democratic Party	PO Box 2065 Wilmington, DE 19899	W:302-328-9036 F:302-328-8386
Josh Kravitz	Democrats Abroad	430 S. Capitol St., SE Washington, DC 20003	W:202-863-8103 F:202-863-8083
Executive Director	District Of Columbia Dem Party	489 South Capitol St., SW Washington, DC 20003	W:202-554-8790 F:202-554-8912
Paige Carter-Smith	Florida Democratic Party	PO Box 1758 Tallahassee, FL 32302	W:850-222-3411 F:850-222-0916
Jeff Diantis	Georgia Democratic Party	1100 Spring St., Ste. 710 Atlanta, GA 30309	W:404-885-1998 F:404-873-4398
Joshua F. Tenorio	Guam Democratic Party	c/o Willy Flores - Ste. 308, Sunny's Pizza Tamuning, GU 96913	W:671-647-8233 F:671-477-5300
Jan Nagano	Hawaii Democratic Party	770 Kapiolani Blvd #111 Honolulu, HI 96813	W:808-598-2880 F:808-598-2885
Maria Weeg	Idaho Democratic Party	PO Box 445 Boise, ID 83701	W:208-338-1815 F:208-338-1817
Tim Mapes	Democratic Party Of Illinois	PO Box 518 Springfield, IL 62705	W:217-546-7404 F:217-546-8847
Dan Parker	Indiana Democratic Party	1 N. Capitol, Ste. 200 Indianapolis, IN 46204	W:317-231-7115 F:317-231-7129
Jean Heesburg	Iowa Democratic Party	5881 Flour Dr. Des Moines, IA 50321	W:515-558-9580 F:515-244-5051
Mark Simpson	Kansas Democratic Party	PO Box 1914 Topeka, KS 66601	W:785-234-0425 F:785-234-8420
Eddie Jacobs	Kentucky Democratic Party	PO Box 694 Frankfort, KY 40602	W:502-685-4828 F:502-685-7629
Derek Woolley	Louisiana Democratic Party	701 Government Street Baton Rouge, LA 70802	W:225-338-4155 F:225-338-0048

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<b>Aymia Welsh</b>	<b>Maine Democratic Party</b>	<b>PO Box 5258 Augusta, ME 04332</b>	<b>W:207-622-6233 F:207-622-2657</b>
<b>Josh White</b>	<b>Maryland Democratic Party</b>	<b>188 Main St., Ste. 1 Annapolis, MD 21401</b>	<b>W:410-289-8818 F:410-280-8882</b>
<b>Sue Thomsen</b>	<b>Massachusetts Democratic Party</b>	<b>10 Granite St, 4th Floor Quincy, MA 02169</b>	<b>W:617-472-0637 F:617-472-4391</b>
<b>Sylvia Perkins</b>	<b>Michigan Democratic Party</b>	<b>806 Townsend Lansing, MI 48933</b>	<b>W:517-371-5410 F:517-371-2056</b>
<b>Jennifer Sierra Ford</b>	<b>Minnesota Democratic Party</b>	<b>255 East Plato Blvd Saint Paul, MN 55107</b>	<b>W:651-251-6312 F:651-251-6325</b>
<b>Keelan Sanders</b>	<b>Mississippi Democratic Party</b>	<b>PO Box 1583 Jackson, MS 39215</b>	<b>W:601-899-2913 F:601-354-1599</b>
<b>Corey Dillon</b>	<b>Missouri Democratic Party</b>	<b>419 East High Street Jefferson City, MO 65102</b>	<b>W:573-636-5241 F:573-634-8176</b>
<b>Brad Martin</b>	<b>Montana Democratic Party</b>	<b>PO Box 802 Helena, MT 59624</b>	<b>W:406-442-8620 F:406-442-9634</b>
<b>Barry Rubin</b>	<b>Nebraska Democratic Party</b>	<b>633 South 9th St. Lincoln, NE 68508</b>	<b>W:402-434-2185 F:402-434-2188</b>
<b>Rebecca J. Lambe</b>	<b>Nevada Democratic Party</b>	<b>1785 E. Sahara Ave., Ste. 498 Las Vegas, NV 89104</b>	<b>W:702-737-8683 F:702-735-2700</b>
<b>Mike Vlach</b>	<b>New Hampshire Democratic Party</b>	<b>300 Bedford Street Manchester, NH 03301</b>	<b>W:603-225-8899 F:603-225-6797</b>
<b>Janica Campbell</b>	<b>New Jersey Democratic Party</b>	<b>150 W. State St. Trenton, NJ 08608</b>	<b>W:609-382-3367 F:609-398-4778</b>
<b>Vanessa Alarid</b>	<b>New Mexico Democratic Party</b>	<b>1301 San Pedro NE Albuquerque, NM 87110</b>	<b>W:505-830-3650 F:505-830-3845</b>
<b>Chung C. Seto</b>	<b>New York Democratic Party</b>	<b>80 Madison Ave., Ste. 1201 New York, NY 10010</b>	<b>W:212-725-8825 F:212-725-8867</b>
<b>Scott Falmien</b>	<b>North Carolina Democratic Party</b>	<b>220 Hillsborough St. Raleigh, NC 27603</b>	<b>W:919-821-2777 F:919-821-4778</b>
<b>Vern Thompson</b>	<b>North Dakota Democratic Party</b>	<b>1902 East Divide Bismark, ND 58501</b>	<b>W:701-255-0480 F:701-255-7823</b>
<b>Hanna Greer</b>	<b>Ohio Democratic Party</b>	<b>271 E. State St. Columbus, OH 43215</b>	<b>W:614-221-8563 F:614-221-0721</b>
<b>Chilton Marshall</b>	<b>Oklahoma Democratic Party</b>	<b>410 N. Lincoln Blvd. Oklahoma City, OK 73105</b>	<b>W:405-427-3388 F:405-255-1292</b>
<b>Neel Pender</b>	<b>Oregon Democratic Party</b>	<b>232 NE 9th Ave. Portland, OR 97232</b>	<b>W:503-224-8200 F:503-224-5335</b>
<b>Donald F. Morabito</b>	<b>Pennsylvania Democratic Party</b>	<b>510 N. Third St. Harrisburg, PA 17101</b>	<b>W:717-238-9381 F:717-233-3472</b>
<b>Euseo Roque</b>	<b>Puerto Rico Democratic Party</b>	<b>PO Box 190998 San Juan, PR 00919</b>	<b>W:787-274-2931 F:787-758-9075</b>
<b>Melba DePena</b>	<b>Rhode Island Democratic Party</b>	<b>249 Roosevelt Ave. Pawtucket, RI 02852</b>	<b>W:401-721-9900 F:401-724-5007</b>
<b>Michelle Macrina</b>	<b>South Carolina Democratic Party</b>	<b>PO Box 5985 Columbia, SC 29250</b>	<b>W:803-799-7798 F:803-765-1692</b>



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<b>Jason Schulte</b>	<b>South Dakota Democratic Party</b>	<b>207 East Capitol Ave. Pierre, SD 57501</b>	<b>W:605-224-1750 F:605-224-1758</b>
<b>Jim Hester</b>	<b>Tennessee Democratic Party</b>	<b>223 8th Ave. Ste 200 Nashville, TN 37203</b>	<b>W:615-327-8779 F:615-327-8759</b>
<b>Mike Levigne</b>	<b>Texas Democratic Party</b>	<b>701 Rio Grande Austin, TX 78701</b>	<b>W:512-478-9800 F:512-480-2500</b>
<b>Arlyn Bradshaw</b>	<b>Utah Democratic Party</b>	<b>455 South, 300 East, #102 Salt Lake City, UT 84111</b>	<b>W:801-328-1212 F:801-328-1238</b>
<b>Jonathan Copans</b>	<b>Vermont Democratic Party</b>	<b>PO Box 1220 Montpelier, VT 05601</b>	<b>W:802-264-1820 F:802-229-1784</b>
<b>Pamela Richards</b>	<b>Virgin Islands Democratic Party</b>	<b>PO Box 2 01 Frederiksted St. Croix, VI 00841</b>	<b>W:340-774-8784 F:340-773-6074</b>
<b>Lindsay Reynolds</b>	<b>Virginia Democratic Party</b>	<b>1108 E. Main St., 2nd Fl. Richmond, VA 23219</b>	<b>W:804-844-1988 F:804-343-3842</b>
<b>Executive Director</b>	<b>Washington Democratic Party</b>	<b>PO Box 4027 Seattle, WA 98104</b>	<b>W:206-563-0864 F:206-563-0301</b>
<b>Scott Sears</b>	<b>West Virginia Democratic Party</b>	<b>5 Greenbrier St. Charleston, WV 25311</b>	<b>W:304-342-8121 F:304-342-8122</b>
<b>Kim Warkentin</b>	<b>Wisconsin Democratic Party</b>	<b>222 West Washington, Ste. 150 Madison, WI 53703</b>	<b>W:608-255-5172 F:608-255-8919</b>
<b>Kyle DeBeer</b>	<b>Wyoming Democratic Party</b>	<b>PO Box 1863 Casper, WY 82602</b>	<b>W:307-473-1457 F:307-473-1459</b>



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**Exhibit 28**

**Katherine Pringle Bio.**

[List by Title](#) | [List by Name](#) | [List by Practice](#) | [List by Law School](#) | [List by Clerkship](#) | [List by Lateral Source](#)



**Partner**  
**Litigation Department**

1633 Broadway  
New York, NY 10019-6708  
Tel: (212) 833-1124  
Fax: (212) 373-7824  
[kpringle@fkfaw.com](mailto:kpringle@fkfaw.com)

### **Katherine L. Pringle**

Katherine L. Pringle practices in the areas of complex commercial litigation, securities and white-collar crime. Her recent matters have included the representation of a group of professionals in pursuing contract and fraud claims arising from the failure of representations and warranties in a merger agreement, the representation of a commercial developer in a series of insurance and contract disputes arising out of the destruction of property on September 11, 2001, and the recovery of more than \$77 million from major broker-dealers relating to their liquidation of complex derivative securities in the Granite Funds collapse.

Ms. Pringle regularly represents clients in investigations by federal and state prosecutors, the Securities and Exchange Commission, and other regulatory bodies. She also served as co-counsel to the Kerry for President Campaign in litigation concerning the 2004 Florida election ballot, as well as co-counsel to plaintiffs in *Jacobs v. Seminole County*, concerning the 2000 Florida presidential election court. In addition, Ms. Pringle has an active *pro bono* practice, which has included litigation involving a religious organization's First Amendment right to conduct outreach to the homeless, and representation of families before the September 11 Victim Compensation Fund.

Ms. Pringle graduated with honors from American University in 1990 and *cum laude* from Georgetown University Law Center in 1993. She served as the Editor-in-Chief of the Georgetown Law Journal, and was the author of *Silencing the Speech of Strangers: Constitutional Values and the First Amendment Rights of Resident Aliens*, 81 Geo. L.J. 2073 (1993). Prior to joining Friedman Kaplan, Ms. Pringle clerked for Justice Samuel A. Alito, Jr. when he was a Judge of the U.S. Court of Appeals for the Third Circuit and practiced at Miller, Cassidy, Larroca & Lewin, LLP in Washington, D.C. Ms. Pringle is also admitted in the District of Columbia and Pennsylvania.

#### **Recent News Involving Katherine L. Pringle**

- **FKSA Lawyers Lead Local, International Civic and Charitable Efforts**
- **Pringle Testifies in Support of Judge Alito at Confirmation Hearings**
- **FKSA Defends \$280 Million Claim Against Leaseholder of 7 World Trade Center**
- **Firm Represents Church and Homeless in Challenging City Policies**
- **Partner Speaks on Post-Employment Restrictive Covenants**
- **Granite Funds' Recoveries Exceed \$70 Million**
- **Court Rules Fund Claims Can Go to Trial**

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**Exhibit 29**

**Mary Ellen Gurewitz and Andrew Nickelhoff Bios.**



**SACHS WALDMAN**  
PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

Attor

## Mary Ellen Gurewitz

### Contact Information

Phone: (313) 488-9441

Fax: (313) 965-4602

Email: [meurewitz@sachswaldman.com](mailto:meurewitz@sachswaldman.com)

### Area of Practice

- Representation of Unions
- Civil Rights Law
- Elections and Campaign Finance

Mary Ellen Gurewitz joined Sachs Waldman in 1979, became a shareholder in 1984 and serves on its Board of Directors.



Ms. Gurewitz represents labor organizations in both the private and public sectors. She represents clients in all forums, including before state and federal trial and appellate courts, in arbitration, and in administrative practice before the National Labor Relations Board and the Michigan Employment Relations Commission. In addition, she has frequently written and spoken on labor law subjects to lawyers, law students, and union officers and members.

Ms. Gurewitz also practices in the field of political and election law. She provides representation to the Michigan Democratic Party and has represented many candidates, candidate committees, and ballot question committees in election related matters, including ballot access, campaign finance, and election canvasses and recounts. She has represented union and political clients in many cases raising both federal and state constitutional issues and has argued these cases at all levels of the Michigan Court System, as well as in the Federal District Courts and the Sixth Circuit Court of Appeals.

Ms. Gurewitz graduated, Cum Laude, from the University of Michigan in 1965, with a B.A. in Economics. She graduated, Magna Cum Laude, from Wayne State University Law School in 1974. She clerked for Judge James P. Churchill of the United States District Court for the Eastern District of Michigan. From 1975 until 1979 she worked as a field attorney for the National Labor Relations Board, Seventh Region, in Detroit, Michigan.

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**Andrew Nickelhoff**

**Contact Information**

Phone: (313) 496-9429  
Fax: (313) 965-4802  
Email: [anickelhoff@sachswaldman.com](mailto:anickelhoff@sachswaldman.com)



**Area of Practice**

- Representation of Unions
- Employee Benefits Law
- Benefit Claims
- Election and Campaign Finance Law
- Non-profit and Tax-exempt Organizations

Andrew Nickelhoff joined Sachs Waldman in 1985 and became a shareholder in 1990.

Mr. Nickelhoff practices in the areas of labor and employment law, employee benefits law, election and campaign finance law, and constitutional law, on behalf of labor organizations and employees in the public and private sectors. He represents tax exempt organizations, and employee pension and welfare funds, both multi-employer and union sponsored.

Mr. Nickelhoff also provides representation and advice to the Michigan Democratic Party, as well as Democratic Party organizations and candidates. He is an active cooperating attorney for the American Civil Liberties Union of Michigan and a member of its Advisory Board, and has successfully litigated constitutional claims involving Internet censorship, student speech, and other matters.

Mr. Nickelhoff has written and lectured on labor law, employee benefits, constitutional law, and related topics for the Institute of Continuing Legal Education, the State Bar of Michigan, the AFL CIO Lawyers Coordinating Committee, the Institute of Labor and Industrial Relations, the Industrial Relations Research Association, among others. He is a regular speaker at the annual Labor Law Conference sponsored by the Michigan State University Labor Education Program. He is the author of the chapter, 'ERIS Claims' in the ICLE publication, Employment Litigation in Michigan, and of the Michigan AFL CIO Campaign Finance Manual.

Mr. Nickelhoff received his Juris Doctor degree magna cum laude from the University of Michigan Law School in 1985. He is a member of the Order of the Coif. Mr. Nickelhoff received a Master of Arts degree in anthropology from the University of Michigan in 1980, and a Bachelor of Arts degree from Duke University in 1977.

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**Exhibit 30**

**Lawyers for Kerry Contact Sheet and Sign-Up Form.**

Kerry-Edwards

blog

volunteer center

**Get Informed**

- [John Kerry](#)
- [Teresa Heinz Kerry](#)
- [John Edwards](#)
- [Elizabeth Edwards](#)
- [Press Room](#)
- [Official Blog](#)
- [Rapid Response](#)
- [On The Road](#)
- [Communities](#)
- [En Espaol](#)

**Lawyers**

in lawyers  
Get involved tod  
Lawyers for Ker  
[join today!](#)

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- [Economy & Jobs](#)
- [Health Care](#)
- [Energy](#)
- [Independence](#)
- [Homeland Security](#)
- [Education](#)
- [Environment](#)
- [More Issues...](#)

**Election Observation & Voter Education**

It is a great injustice to us all when African-Americans are denied their fundamental right to vote. On Election Day in your cities, my campaign will provide teams of election observers and lawyers to monitor elections and enforce the law. - John Kerry

local coordin  
Get involved loc  
Lawyers for Ker  
emailing our stat  
coordinators.  
[coordinator con](#)

Lawyers for Kerry-Edwards is working with the DNC's Voting Rights Institute (VRI) to organize thousands of attorneys across the country to be in every polling place on Election Day and to educate voters locally about their ballot, their voting machine and the voting process. Help safeguard the democratic process by signing up with the VRI today!

contribute to  
Contributions to  
Kerry-Edwards 2  
Election Legal an  
Compliance Fun  
provide importar  
the campaign. G  
pay for legal and  
expenses incurre  
campaign.

- [Take Action](#)
- [Contribute to DNC](#)
- [Be a Volunteer](#)
- [Volunteer Center](#)
- [Recruit Friends](#)
- [Voter Outreach](#)
- [Contact Media](#)
- [Raise Money](#)
- [Plan/Attend Events](#)

[- Help Protect Democracy Today](#)

[make a contrib](#)  
domestic pol-  
As lawyers, LFK  
are practiced in t  
persuasion. Join  
Policy Media Co  
share your talent  
communicating l  
policies with oth  
radio and televis  
[join today](#)

- [Multimedia](#)
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**Equal Opportunity for All**

Every American should have the opportunity to succeed and to live the American dream. While America has made great strides toward true equality, much remains to be done and too often the progress we've made comes under attack. John Kerry and John Edwards will continue to fight for civil rights.

[Equal Opportunity for All](#)

- [Resources](#)
- [Kerry Gear](#)
- [Contact Us](#)
- [In Your State](#)
- [Register to Vote](#)

**Protecting Our Communities**

John Kerry has always been tough on crime. As a prosecutor for one of America's largest counties, he prosecuted a murderer, a rapist and a mob boss. As an assistant District Attorney, he

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transformed one of the largest and most active District Attorney's offices in the nation into an efficient crime-fighting organization. He started a white-collar crime unit, a program for fast-tracking violent crimes to trial, and a victim's rights unit that was the first of its kind in Massachusetts and one of the first in the nation.

[-Protecting Our Communities](#)

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Home Communities - Lawyers -

**Get Informed**

- John Kerry
- Teresa Heinz Kerry
- John Edwards
- Elizabeth Edwards
- Press Room
- Official Blog
- Rapid Response
- On The Road
- Communities
- En Espaol

**Plan for America**

- National Security
- Economy & Jobs
- Health Care
- Energy Independence
- Homeland Security
- Education
- Environment
- More Issues...

**Take Action**

- Contribute to DNC
- Be a Volunteer
- Volunteer Center
- Recruit Friends
- Voter Outreach
- Contact Media
- Raise Money
- Plan/Attend Events

**Multimedia**

- Videos
- TV Spots
- Photo Gallery
- Downloads

**Resources**

- Kerry Gear
- Contact Us
- In Your State
- Register to Vote
- My Profile

**Search**

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**Lawyers for Kerry-Edwards**

Get involved locally by emailing a Lawyers for Kerry-Edwards Coordinator in your state by clicking on a link below:

**Alabama**

State Contact: Greg Hawley

**Arizona**

State Contacts: Scott Bales, Dave Goldwin, Bruce Heurlin

**California**

Los Angeles: Nancy McCullough

Sacramento: Norman C. Hile

San Diego: John B. McNeece, Dan Mogin

San Francisco: Judy Keyes, Bill Orrick, Jesse Markham

**Colorado**

State Contact: Tom Strickland

**Florida**

State Contact: Mark Schnapp

**Georgia**

Atlanta: David Keating, John Winer

**Illinois**

Chicago: Tom Quinn

**Iowa**

State Contacts: Brent R. Appel, Mark Beltrame

**Massachusetts**

Boston: Mark Berman, Barry White, Jim Tierney

**Michigan**

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State Contact: Marie T. Racine

**Minnesota**

State Contact: Steve Carlson

**Montana**

State Contact: Robert Carlson

**Nevada**

State Contact: Steve Walther

**New Hampshire**

State Contact: Scott O'Connell

**New Mexico**

Albuquerque: Michael Cadigan, Eric Jeffries

Sante Fe: Steve Durkovich

**New York**

State Contacts: Doug Dunham, Laurie Rothenberg

**North Carolina**

State Contacts: Sam Poole, David Erdman

**North Dakota**

State Contacts: Don Kautzmann, Jeff Welkum

**Ohio**

State Contact: Ross Fulton

Akron: Rhonda Gail Davis

Canton: Allen Schulman, Jr.

Cincinnati: Mark Vanderlaan, Jerry Harris

Cleveland: John F. Lewis, Dennis Lansdowne

Columbus: Phillip Fulton, John Gilligan

Dayton

Toledo: Stephen Collier, Keith Wilkowski

**Oklahoma**

State Contact: Steve Davis

**Pennsylvania**

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Philadelphia: Mark Alderman, Joe Manko

Pittsburgh and Western PA: David Ehrenwerth

**South Carolina**

State Contact: Bill Nettles

**Tennessee**

State Contact: Michael Bressman

**Texas**

State Contact: Richard Pena

Austin: Steve McConnico, Timothy Sulak

Brownsville: Frank Costilla, David Sanchez

Corpus Christi: Augie Rivera

El Paso: Steve James, Hector Zavaleta

Ft. Worth: Jim Barlow, Steve Maxwell

Houston: Dave Matthiesen, Scott Partridge, Kenneth Broughton

Lubbock: John Sims, Ralph Brock

McAllen: Gina Benavides, Bobby Ramirez

North Texas: Howard Watt, Curtis Clinesmith

San Antonio: Tom Crosley, Frank Burney

**Vermont**

State Contact: Jeffry Taylor

**Washington**

Seattle: Llewelyn G. Pritchard, Anne M. Redman

**Washington, D.C.**

District Contacts: Alan Baron, J.T. O'Leary, Greg Corbett

**Wisconsin**

State Contact: Dick Podell

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## Lawyers and Law Students for Kerry-Edwards

First name\*

Last name\*

Address 1

Address 2

City

State

Zip

Phone

Cell Phone

Email\*

---

Are you a Lawyer?

Yes

No

States Licensed to Practice Law:

Employer

Law School Attended:

---

Are you a Law Student?

Yes

No

Current Law School

We may provide your contact information to the Democratic National Committee for ballot protection efforts.

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**Exhibit 32**

**Gregory Harvey Bio.**

# M Montgomery McCracken

Pennsylvania • New Jersey • Delaware

**Gregory M. Harvey**  
Partner



215-772-7684  
Toll Free: 1-800-572-MMWR (6697)  
Fax: 215-772-7620  
gharvey@mmwr.com

*Philadelphia Office*

**Areas of Practice:** Public Election Law, Appellate  
Litigation, First Amendment & Media, Corporate &  
Securities, Commercial Litigation

**Professional Experience:** Gregory M. Harvey is a partner in the Litigation Department of Montgomery, McCracken, Walker & Rhoads, LLP and is chair of the firm's Public Election Law practice. His practice has resulted in more than 150 reported judicial decisions and includes extensive experience on appellate briefing and argument, First Amendment law, securities litigation, and public election law.

Mr. Harvey's First Amendment practice includes representation of several daily newspapers, including the *Delaware County Daily Times*, the *Bucks County Courier Times*, the *Doylestown Intelligencer*, and the *Pottstown Mercury*. His commitment to First Amendment and public election law has earned him such recognition as listing in *The Best Lawyers in America* ("First Amendment Law"), the *James Madison Award* of the Society of Professional Journalist (Philadelphia Chapter), and the *Judge Learned Hand Human Relations Award* of the American Jewish Committee. Mr. Harvey was also elected as a Fellow of the American College of Trial Lawyers, an honorary association which recognizes excellence in trial practice. Election to membership is extended by the College only by invitation, after careful examination of the nominee's experience, skill, ability and ethical standards.

In Mr. Harvey's last nine appellate oral arguments, six before the U.S. Court of Appeals for the Third Circuit, two before the Pennsylvania Superior Court, and one before the Commonwealth Court of Pennsylvania, Mr. Harvey's side prevailed in eight of the nine appeals. The most recent decision, *In re Combustion Engineering, Inc.*, 391 F.3d 190 (Dec. 2, 2004), increased by more than \$200 million the funds to compensate the parties for whom Mr. Harvey argued. In the Commonwealth Court appeal, Mr. Harvey was selected by PECO Energy Company to argue for the constitutionality of Pennsylvania's Electric Competition Act, involving PECO's right to recover over \$5 billion in "transition costs" as part of the transition toward competition in retail sales of electricity. The significance of the Commonwealth Court's unanimous decision sustaining PECO's position is the subject of Mr. Harvey's article published in *The Pennsylvania Lawyer* (November-December 2001) titled "Deregulation Done Right—How a different choice in

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the legal structure of electric deregulation has so far saved Pennsylvania from California's fate."

Mr. Harvey's other important appellate victories in recent years include *In re CoreStates Trust Fees Litigation*, 39 F.3d 61 (3d Cir. 1994), affirming 837 F. Supp. 104 (E.D. Pa. 1993) (putative class action challenging bank's trust fees could not be maintained under either the diversity or federal question jurisdiction of the federal courts, notwithstanding that there was no right to conduct a class action in the state court having exclusive jurisdiction of fiduciary trusts); *Costello v. Ocean County Observer*, 136 N.J. 594, 643 A.2d 1012 (1994) (summary judgment granted to newspaper defendants by intermediate appellate court affirmed on federal constitutional grounds despite exceptionally unfavorable facts); *Jubelirer v. Singel*, 162 Pa. Cwlt. 55, 638 A.2d 352 (1994) (*en banc*), and two related cases, *Donatelli v. Mitchell*, 2 F.3d 508 (3d Cir.), affirming 826 F. Supp. 131 (E.D. Pa. 1993), and *Greenwood v. Singel*, 1993 WL 77271 (E.D. Pa. 1993) (adjudicating various state and federal constitutional issues arising from a battle for control of the Senate of Pennsylvania; Mr. Harvey was chief counsel in the *Jubelirer* case and obtained a unanimous *en banc* decision sustaining the constitutionality of counting the vote of a senator elected under disputed circumstances on the issue of his own seating).

As in these recent decisions, earlier cases argued by Mr. Harvey have established important legal principles, such as: *D. H. Overmyer Co. v. Frick Co.*, 405 U.S. 174 (1972), resulting in a unanimous decision sustaining the constitutionality *per se* of confession of judgment, one of the few appellate decisions sustaining the creditor position; *Garner v. Wolflinbarger*, 430 F.2d 1093 (5th Cir. 1970), argued by Mr. Harvey for the American Bar Association as *amicus curiae* and resulting in the reversal of a trial court ruling that plaintiffs in derivative litigation were entitled automatically to corporate attorney-client communications because they were shareholders; and *Intraworld Industries, Inc. v. Girard Trust Bank*, 461 Pa. 343, 336 A.2d 316 (1975), tried and argued on appeal by Mr. Harvey for the party seeking to obtain payment under a letter of credit and still the leading case in Pennsylvania sustaining the sanctity of such instruments against efforts by bank customers to enjoin their being honored.

Mr. Harvey's cases also include tenacious efforts to achieve justice for his clients, as in *NABCOR v. Philadelphia National Bank*, in which an \$8 million verdict entered under controversial circumstances by a state court trial judge was ultimately set aside and a new trial denied by the intermediate appellate court, and the judge himself was both defeated by the voters for retention and twice held to deserve disciplinary removal from the bench (both instances occurring after his electoral defeat).

Mr. Harvey's representations involving public election law have frequently been referred to in the legal press and in *The Philadelphia Inquirer* and the *Philadelphia Daily News*, e.g., "one of the state's leading authorities on election law" (*The Legal Intelligencer*, Sept. 28, 1999); "a leading election lawyer" (*The Inquirer*, June 2, 1994); "state elections law expert" (*The Inquirer*, May 29, 1993); "one of the state's top election attorneys" (*Daily News*, May 14, 1991). Mr. Harvey also holds elective political party office as a member and Ward Co-Chair of Philadelphia's 8th Ward (Center City West) Democratic Executive Committee.

Prior to joining Montgomery, McCracken, Mr. Harvey was a senior litigation partner with Morgan, Lewis & Bockius LLP.

**Admitted to Practice:** Mr. Harvey is admitted to practice in Pennsylvania. He is also admitted to and has argued in the Supreme Court of the United States and the U.S. Courts of Appeals for the Second, Third and Fourth Circuits. He is a member of the American, Pennsylvania and Philadelphia Bar Associations. From 1984 to 1991 he was chair of the City of Philadelphia Board of Ethics.

**Recent Presentations and Publications:** Mr. Harvey frequently speaks and writes on the subject of elections and the public's right to information. His most recent speaking engagements and publications include *Election Law in Pennsylvania*, Pennsylvania Bar Institute Seminars (Philadelphia and Mechanicsburg) November 2005 and November 2003 (course planner & moderator); *The Right to Public Information in Pennsylvania*, course co-planner and co-presenter, "What You Need to Know About Public Records and Open Meetings in New Jersey and Pennsylvania," Lorman Education Services seminars, November 2005 and December 2002; *The Supreme Court and The Presidential Election*, course planner and moderator, The Pennsylvania Bar Institute and The Philadelphia Bar Association "Chancellor's Forum Presentation", April 2001; *Election 2000 and the Courts: Can Future Elections Withstand Equal Protection Scrutiny?*, faculty, Pennsylvania Bar Association Annual Meeting, May 2001; *Electric Deregulation Done Right: How a Different Choice in the Legal Structure of Electric Deregulation Has So Far Saved Pennsylvania From California's Fate*, The Pennsylvania Lawyer, November-December 2001; *The Florida Election Vote: What if it Had Happened Here?*, "The Pennsylvania Lawyer," March-April 2001. Mr. Harvey is listed in the Marquis Who'sWho® directories, including *Who's Who in America*® (2006).

**Education:** Mr. Harvey graduated with an A.B. degree in 1959 from Harvard University, where he was a member of Phi Beta Kappa, and with a J.D. degree in 1962 from Harvard Law School.

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**Exhibit 33**

**William S. Gordon Bio.**

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**Attorney Profile:**

**Gordon, William S.**  
 (215) 790-7300  
[wgordon@sheller.com](mailto:wgordon@sheller.com)



William S. Gordon concentrates his practice in personal injury matters and civil litigation in both Pennsylvania and New Jersey. His experience includes motor vehicle accident, workers' compensation, wrongful death, medical malpractice and product liability cases in addition to general personal injury.

Prior to joining Sheller Ludwig & Sheller, Mr. Gordon served as president and managing shareholder of Gordon & Gordon, P.C. For nearly twenty years, he handled general personal injury, medical malpractice, products liability, civil rights and family law in their Philadelphia office.

Mr. Gordon is admitted to the practice of law in the states of Pennsylvania, New Jersey, and Florida. He is admitted to the Supreme Courts of Florida (1982), Pennsylvania (1984), and New Jersey (1985), the United States District Court for the District of New Jersey (1985), the United States District Court for the Eastern District of Pennsylvania (1985) and the United States District Court for the Middle District of Pennsylvania(1989).

During the 2004 political season Mr. Gordon worked *pro bono* for the disqualification of Ralph Nader to appear on the Pennsylvania ballot. Nader's nomination papers were disqualified for fraud and forgery In Re: Nomination Papers of R. Nader and P. Camejo Supreme Court No. 182 MAP 2004. Mr. Gordon also worked with the Lawyers for Kerry monitoring election process in Philadelphia for compliance with law. For the 2006 season, Mr. Gordon is working for the unseating of incumbent Congressman Gerlach in the 6<sup>th</sup> District.

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**Nader Off Ballot for Presidential Candidate in Pennsylvania – Nomination Papers Found Fraudulent**  
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William Gordon, Esquire, of Sheller, Ludwig & Badey appeared before the Commonwealth Court in Pennsylvania to litigate the validity and veracity of the Ralph Nader petition to run for United States President. Gordon, among other attorneys, argued that many of the signatures were fraudulent, and that Nader and his running mate, did not have enough legitimate signatures to appear on the ballot.

**Attorney Ja Sheller App PIDA**  
*8/7/2007*

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The Court included in its findings: "that this signature gathering process what the most deceitful and fraudulent exercise ever perpetrated upon this Court. The conduct of the Candidates, through their representatives (not their attorneys), shocks the conscience of the Court. In reviewing signatures, it became apparent that in addition to signing names such as 'Mickey Mouse,' 'Fred Flintstone,' 'John Kerry,' and the ubiquitous 'Ralph Nader,' there were thousands of names that were created at random and then randomly assigned either existent or non-existent addresses by the circulators."

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**Exhibit 34**

**Robert Brandon Bio.**

# ROBERT M. BRANDON & ASSOCIATES

*A public affairs firm working in the public interest.*

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## Who We Are

The Brandon & Associates team is led by Robert M. Brandon, an attorney with more than 25 years of public policy, legislative, media and campaign experience. Over the last ten years, he has specialized to telecommunication policy, information technology, consumer digital rights, and broadband and internet policy at the FCC, in Congress, and at the state and local level. He has also participated in a number of healthcare initiatives involving regional business interests and underserved communities. As head of Citizen Action's national office from 1986 to 1993, he was responsible for overall public policy development, legislative and electoral strategy, and media and public relations for the three-million-member consumer organization. He is recognized as one of the nation's leading consumer advocates, and he works closely with a variety of public interest groups throughout the country.

*National Journal* profiled Robert M. Brandon as a person who "has spent his career fighting Goliaths. He bested Big Oil over the oil depletion allowance, beat corporate America on tax reform and battled the utility industry over electric rates."

Mr. Brandon has been a Democratic National Committee consultant and advisor to the White House on health care strategy. He has served as the Executive Director of the Citizen/ Labor Energy Coalition, director of the Tax Reform Research Group, and an adjunct lecturer in law at the George Washington University Law School. He has written and testified extensively, and appeared on numerous national TV and radio shows.

---

Associate Daniel Kohns has over a decade of experience in international conflict resolution policy and domestic and international political communications and media relations. Prior to joining Brandon & Associates, Mr. Kohns served as a campaign consultant to the Democratic National Committee during the 2004 presidential race, and as an aide to former Housing Secretary Andrew Cuomo during his New York gubernatorial campaign. As director of the United Nations office of Guatemala's leading human rights organization, Daniel participated in state-level negotiations to resolve Latin America's longest civil war, representing that country's civilian opposition to the diplomatic corps and international media.

Drawing on a network of international political contacts and negotiation skills developed at the UN and through earlier work for American and European non-governmental organizations in Israel



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**Exhibit 35**

**Janice D'Arcy, "Moffett's Political Mission Is Derailing Nader," *Hartford Courant*  
(Oct. 18, 2004).**

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**MOFFETT'S POLITICAL MISSION IS DERAILING NADER**

**FORMER PROTEGE LEADS EFFORT TO KEEP INDEPENDENT CANDIDATE OFF BALLOTS**  
*[6 METRO/SPORTS FINAL Edition]*

Hartford Courant - Hartford, Conn.  
 Author: JANICE D'ARCY  
 Date: Oct 18, 2004  
 Start Page: A.1  
 Section: MAIN (A)  
 Text Word Count: 1872

Document Text

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Toby Moffett's pinstriped pants are rumpled. Other lobbyists at his level, the sort who commandeer office plate-glass windows overlooking Capitol Hill, wear ironed pants. But Moffett doesn't seem to notice or care. He settles into an oversize armchair in that office. His mind is focused on other things. Specifically, the past.

"Many a night I would pick him up at Bradley in my 1988 Dodge Dart and drive to his family's home in Vermont for long hours over Lebanese dinners," he says, with a glazed, middle-distance stare. He is so absent-minded, the room almost fills with the aroma of kibbe.

But the moment passes and he remembers all that came after. His eyes return to the present. "Who knew attacking everyone and everything, and everybody is a sellout so all that's left is St. Ralph."

Moffett is, as is usual these days, discussing his former mentor and current nemesis, Ralph Nader. Now Connecticut congressman has spent the better part of a year crusading against the 70-year-old independent presidential candidate.

Moffett has distinguished himself among the legions of anti-Nader forces this year by organizing the most well-financed obstruction effort. His mission ultimately, he says, is to defeat President Bush.

Yet the energy in his effort to nullify Nader — all volunteer and at no one's bidding — is fueled by something Democratic fervor.

On the surface, their battle is over the outcome of the Nov. 2 presidential election. Underneath, it stirs an unburied hatchet of a Nov. 2 Election Day more than two decades ago.

"But for that man's powerful stuff," said Jonathan Peltz, a political analyst who as a young man worked a failed campaign for the U.S. Senate in 1982.

"He would have had a chance to be a great senator. He would have had a chance to be as great as Kennedy. I can imagine what Toby is thinking."

Shared History

Moffett is co-founder of The Ballot Project, the engine of the state-by-state legal challenges to Nader's candidacy. It has been so successful at tying Nader's campaign in legal and logistical knots, that Nader's candidacy has been financially consumed. Although he could still make a difference in crucial swing state polling at 1 percent nationally, down 2 percentage points from where he polled in October 2000, when 1 percent of the popular vote.

The strategy has infuriated Nader. It has also convinced him to single out Moffett for personal and public

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He has organized his supporters to picket Moffett's office, frequently criticized him by name and distrib public letter to Moffett. The letter was telling in that it confirmed a long-nurtured personal animosity. "It i the media still describes you as a Nader's Raider," Nader wrote. "Toby, that was 30 years ago."

Moffett and Nader met through their fathers. Nader's father owned a restaurant in Winsted and Moffett's beer distributor who supplied it. They were Lebanese immigrants living in working- class Connecticut, a learned the other had a smart, rising-star son living in Washington, the fathers coordinated introduction

It was 1968. Moffett was 24 and Nader 34. Moffett was working in the U.S. Office of Students and Youth the staff of then-Sen. Walter Mondale, D-Minn. Nader had already published "Unsafe at Any Speed" an establishing himself as a crusading consumer advocate.

They met over coffee at Nader's office. It was the first of many long chats during which, Moffett said, he him to bring his young man's political zeal back home. In 1971, the Connecticut Citizen Action Group, a advocacy group, was born with Moffett as president and Nader as the cachet.

It became an attention-getting, grass-roots environmental and consumer force. Even more, it gave the ambitious Moffett the launch he needed to introduce himself to the state's voters.

In 1974, Moffett won his first term in Congress. His 6th District included both Moffett's hometown of Suf Nader's in Winsted.

Through his first years in Washington, Moffett escaped Nader's scornful critiques of Congress. Publicly regularly referred to as a Nader protege. "If Nader was God, Moffett was the patron saint of Connecticu said Pelto.

Or so it seemed when Moffett gambled to unseat Republican Sen. Lowell P. Weicker Jr. in 1982. Mofie could depend on the then-powerful voting block of Nader supporters and spend his time courting centri wrong.

Just weeks before Election Day, Nader called a press conference to denounce Moffett and praise Weick surrendered," Nader said.

Twenty-two years later, Moffett can still recall the final polling figures in his race for the U.S. Senate. "I margin of error before Ralph came out," Moffett said.

In the end, Moffett lost to Weicker by 47,000 votes in a race where more than a million were cast. "It kil said.

After a stint as a TV news anchor, Moffett tried to run for governor in 1986, and for another congressior but the initial loss had effectively ended his political career.

#### Changed Perspective

Nader's condemnation was not the single cause of the loss. Weicker was a formidable candidate and h considered the underdog from the outset.

In fact, there had been increasing personal tension between Moffett and Nader for months. Much of it s the fact that, in a prelude to his Senate run, Moffett had mellowed his populist oratory, met with busines across the state and supported legislation favorable to state businesses. One executive, Rufus Stillmar Courant at the time, "He's trying to articulate a more conservative fiscal attitude."

By August 1982, Nader was beginning to publicly hint at his dissatisfaction with Moffett, telling The Cou Moffett was experiencing a "rootlessness in philosophy."

Nader now remembers that campaign strategy with disgust. "He sold out to corporate interests. He sok defense industry. He sold out to the nuclear power industry."

Moffett, then and now, bristles at the criticism. He said he never changed his politics, but expanded his represent the interests of his constituents, including the state's businesses.

In some ways, the Nader rebuke was a taste of what so many other Nader allies would experience whe public office. Nader had, and still has, disdain for compromise. What virtually every legislator believes i inescapable part of the job, Nader views as selling out.

Before Moffett, Nader turned on Joan Claybrook, his onetime partner who, when she joined the Carter i became Nader's frequent target.

It is a pattern that has left him with legions of well-trained activist enemies, many of whom Moffett is w

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year. The Ballot Project's co-founder is former New York Rep. Liz Holtzman, a former Nader Raider. An anti-Nader group, United Progressives For Victory, is headed by former Nader devotee Robert Brandor. In the weeks of the presidential campaign, former Nader workers are spreading out in swing states to persuade supporters to instead back the Democratic nominee, Massachusetts Sen. John Kerry. "Part of his pain, with relish, is he is recognizing these tactics."

In Moffett's case, he sees Nader's defection as pivotal. Moffett's trajectory to become a major Washington force was blocked by the very man who launched him.

#### Conscience Is Clear

From today's perspective, Moffett landed softly. He now resides in the for-profit world of corporate lobbying, as senior counselor at the firm owned by Robert Livingston, the conservative Republican former Speaker of the House.

He says he has remained more true to his progressive roots than Nader. He supports environmental causes and has contributed to, among other liberal campaigns, Howard Dean's presidential run.

Moffett first began working against Nader near the end of the 2000 campaign -- a ragtag last-minute effort coalesced once it was clear Nader might have an effect on the outcome. This time, Moffett said, he was prepared.

A full year before Nader announced his intentions, Moffett said he began talking with Holtzman about a block their former mentor. Their idea was not to campaign against his message, but to cut him off before he could even begin a campaign at all. "Our intent was to drain and distract him," Moffett said.

The first effects were felt on June 9, when Nader volunteers in Arizona collected 5,000 signatures more than the 14,894 needed to put him on the ballot and turned them in to the secretary of state's office. Nader's team then began packing their backpacks to move to the next state.

But a team of Democratic fact-checkers emerged to take more than the state's typical once-over for the found names next to nonexistent residences, names that didn't match voter registration rolls, suspicious signatures. They turned their evidence over to lawyers who challenged the petitions. Before state officials could act, Nader withdrew his petitions. He said he didn't have the financial resources to pay lawyers on his behalf. It was the Ballot Project's first success.

By this fall, Democrats had challenged virtually every other state petition Nader's crews collected. As of now, Nader is on 34 ballots. But new challenges and court decisions may keep the figure a mystery until November Day.

There is some fear among anti-Nader activists that The Ballot Project strategy has awakened a new zeal.

At a breakfast gathering of political reporters in September, Nader complained almost exclusively about Kerry. Afterward, his spokesman Kevin Zeese said if the Democrats had not been challenging his list, his rage would have been targeted at President Bush.

But Moffett doesn't mind that Nader is angry. He says he didn't mind when he said Nader supporters fill his mailbox at work with vitriolic messages.

Moffett said his only fear is that he is not working hard enough to scuttle Nader. "You wake up in the morning and say to yourself, 'What am I doing today to defeat President Bush?'" he said.

In his personal definition of a 2004 progressive, working against George Bush also means working against Nader. "I'm working hard to do that. I have a clear conscience," Moffett said. "I can't imagine Ralph doing anything else."

#### [Illustration]

PHOTO 1: COLOR, LISA NIPP / ASSOCIATED PRESS PHOTO 2: (B&W), ARMAN G. HATSIAN / CORBIS OUTLINE PHOTO; Caption: PHOTO 1: TOBY MOFFETT is co-founder of The Ballot Project, which is trying to keep presidential candidate Ralph Nader off the ballot of as many states as possible. The strategy has succeeded in angering Nader. PHOTO 2: RALPH NADER, center, was a crusading consumer advocate and Toby McInerney's protege in the early 1970s when the Connecticut Citizen Action Group, a Nader project, was born with its first president. At right is Angie Martin, coordinator of the Connecticut Citizens' Lobby, also launched by Nader. Moffett and Nader parted ways after Moffett's unsuccessful U.S. Senate race in 1982, when Nader was his opponent.

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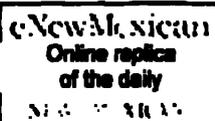
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**Exhibit 36**

**Steve Terrell, "Fears of Nader Keep Dems on Offensive," *The New Mexican* (July 29, 2004).**



News: Politics

# Fears of Nader keep Dems on offensive

(16 comments; last comment posted August 2, 2004 05:55 am)

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Steve Terrell | The New Mexican  
July 29, 2004

**BOSTON** — Fears that independent presidential candidate Ralph Nader will sap crucial votes in the November election continue to haunt Democrats.

Toby Moffett, a former Connecticut congressman and former Nader ally, told New Mexico delegates to the Democratic National Convention on Wednesday that the state party should appoint someone specifically to spearhead efforts to keep Nader off the ballot.

The race between President Bush and Democrat John Kerry is expected to be close. New Mexico alone — where Democrat Al Gore defeated Bush four years ago by just 366 votes — could make the difference for Kerry if Democrats can keep Nader from peeling away votes, Moffett said.

An army of 200 volunteers in 20 states is prepared to fight Nader's efforts to get on state ballots by challenging the validity of signatures on his petitions, Moffett said. "We're going to make him spend time, money, resources," Moffett said.

Nader supporters abandoned their effort to get him on the ballot in Arizona after Democrats challenged the validity of thousands of petition signatures.

Some Republicans agree Nader could attract votes that might otherwise go to Kerry.

In some states, Republicans have helped Nader with financial contributions and in gathering petitions to get the consumer advocate and former Green Party standard bearer on the ballot as an independent.

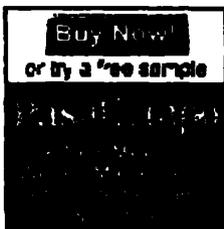
While there hasn't been a visible Republican effort for Nader in New Mexico, former state Republican Chairman John Dendahl said in a telephone interview that he knows of one Republican in the southern part of the state who is helping with Nader petitions.

New Mexico election laws, like those in some other states, don't make it easy for independents to get on the ballot. Nader has to collect more than 14,000 petition signatures by Sept. 7 to get his name on the New Mexico ballot.

But Greg Graves, executive director of the state GOP, said he knows of no effort by state Republicans to help Nader.

"The Nader organization hasn't contacted us," he said. "But I wouldn't discourage any Republican from helping Nader. I think it's outrageous that the Democratic Party, the party of choice, would try to keep people off the ballot."

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Moffett, who organized a citizens consumer group in Connecticut with Nader's guidance in the early 1970s, heads a Democratic anti-Nader group called United Progressives for Victory.

Moffett said Democrats' fears about Nader -- some blame him for George W. Bush's victory in the close 2000 presidential race -- are well-founded. "Our polls of likely Nader voters show that with Nader out of the race, those votes would go to Kerry 2-1," Moffett said.

He told New Mexico Democrats during a Wednesday breakfast that polls show the best argument to use with potential Nader voters is: "Ralph is in bed with Republicans."

State Democratic Chairman John Wertheim told a reporter he probably would appoint someone to be in charge of an anti-Nader effort in this state.

"But realistically speaking, this is a central focus of my own duties as chairman," Wertheim said. "I have a great respect for what Ralph Nader did as a consumer advocate in his past life. But his ego has transformed him into a shill for the Republican Party."

State House Majority Leader Danice Picraux of Albuquerque, a convention delegate who heard Moffett at the New Mexico breakfast, said she plans to talk with fellow progressive Democrats in the Legislature about appealing to potential Nader voters to vote for Kerry.

The progressive wing of the Democratic Party is the best hope for accomplishing progressive goals, Picraux said. "But we can't do that if Ralph destroys our access to power."

Carol Miller, a Green Party member who is coordinating Nader's petition effort in New Mexico, bristled when told of the remarks by Moffett and Wertheim.

"This is probably a violation of RICO laws," she said, referring to federal racketeering laws aimed at organized crime. "All these people know that Ralph Nader and (running mate) Peter Camejo have a doable, pragmatic platform for this country."

Asked about the charge that Republicans are aiding Nader, Miller said, "So what?"

She added: "If Ralph is kept off the ballot because of some dirty trick in New Mexico, I'm not voting for John Kerry."

"Is this a democracy or not? Do I get a (ballot) choice?" Miller asked.

Moffett, who was elected to Congress in 1974, said he and Nader had been friends and allies, but Nader turned on him after Moffett helped pass the Clean Air Act in the mid-1970s.

"He said it had too many compromises and said I'd sold out," Moffett said. The bill had been endorsed by the Sierra Club, Friends of the Earth and other environmental groups.

The Associated Press contributed to this story.

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**Exhibit 37**

**"Democratic Chief Urges Nader to Back Kerry," CNN.com (July 14, 2004).**

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## POLITICS

### AMERICA VOTES 2004

SPECIAL REPORT

# Democratic chief urges Nader to back Kerry

Wednesday, July 14, 2004 Posted: 9:01 AM EDT (1301 GMT)

WASHINGTON (CNN) – Democratic National Committee Chairman Terry McAuliffe has called on Ralph Nader to give up his independent bid for president and support Sen. John Kerry – a move quickly rejected by the Nader campaign.

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Speaking to reporters Tuesday about the upcoming Democratic National Convention, McAuliffe said Nader should consider backing Kerry because otherwise his legacy could be that he gave "this country eight years of George Bush."

"I want Ralph Nader active in this campaign," McAuliffe said. "I want him active helping John Kerry."

The DNC chairman said the Democratic convention will address issues Nader, a longtime consumer advocate, has "fought his life for."

"I'm hoping that people who've traditionally supported Ralph Nader will understand that John Kerry has fought for these issues his entire life," McAuliffe said.

Nader spokesman Kevin Zeese said McAuliffe "should worry more about Kerry's lack of a plan for withdrawal from Iraq than about Nader withdrawing from the race."

Zeese then ran off a host of issues he said the Kerry campaign is not addressing, including Israeli policies toward Palestinians, corporate welfare and U.S. energy policy.

"There are so many problems and issues that are not being addressed that it becomes more obvious that Nader is needed more, not less," Zeese said.

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Democrats are urging Ralph Nader to drop out of the presidential race.

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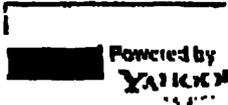


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Kerry leads Bush 50 percent to 45 percent among likely voters in a three-way race, with 2 percent backing Nader. But Nader siphons more support from Kerry than from Bush among minority voters in a three-way race.

Democrats have often blamed Nader's Green Party candidacy for costing Al Gore the presidency in 2000, and many have said they fear a repeat this year if Nader stays in the race.

"Any votes that are taken away from John Kerry clearly are a threat," McAuliffe said. "So we need all of us working together to make sure that we're unified behind John Kerry and John Edwards, to make sure that we are working, united, together."

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**Exhibit 38**

**Paul Magnusson, "The Dems' Game Plan to Create a Two-Man Race," *Business Week Online* (July 29, 2004).**

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# The Dems' Game Plan To Create A Two-Man Race

Jeffrey Cohn, a 31-year-old accountant and Ralph Nader fan, smiles as he implores shoppers streaming from a suburban Philadelphia Wal-Mart to sign his petition. An hour into the effort, Cohn has persuaded 20 people to back the move to get Nader on the Pennsylvania ballot as an independent Presidential candidate. But when the store's assistant manager objects, Cohn heads to another mall.

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**NEWS: ANALYSIS & COMMENTARY**

Kerry's Toughest Crowd

The Dems' Game Plan To Create A Two-Man Race

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The scene is being repeated on sidewalks and parking lots across America as the Nader campaign scrambles to meet late-summer filing deadlines to get on some 33 state ballots. But Democrats are gearing up to fight back just as hard, fearing a repeat of 2000. Then, Nader siphoned enough votes from Al Gore in extremely tight races in Florida and New Hampshire to tip the election to George W. Bush.

This time, Democrats are leaving nothing to chance. In Pennsylvania, Dems are mounting a court challenge to Nader's petitions. Nationally, they've assigned Vermont Governor Howard Dean the task of persuading wayward Democrats that

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a vote for Nader is tantamount to a vote for Bush. Dean has declared "an extraordinary emergency" and his forces are packing some Nader events with protesters. Democrats have already successfully knocked Nader off the ballot in Arizona on technicalities, and the party faithful are quietly fund-raising to support additional legal challenges in the battleground states of Florida, Michigan, West Virginia, and Nevada. "We can't afford to have Ralph Nader in the race," says Democratic National Committee Chairman Terry McAuliffe.

Republicans, on the other hand, have rallied to Nader's aid. Conservative groups, such as the antitax Citizens for a Sound Economy, helped collect ballot signatures in Oregon and Nevada. And the GOP collected 42,000 signatures to place Nader on the ballot in Michigan, where Kerry leads Bush by just two percentage points in a three-way race. For Republicans, the math is easy: Three of every four Nader votes are expected to come from Kerry's hide. Meanwhile, Nader refuses to turn away Republican money or volunteers and has demanded that Kerry stop his party's efforts to exclude him from the race. "It shows the lack of confidence Democrats have in their own candidate," says Nader.

The GOP rally-'round-Nader has freed Democrats to be more open about their counter-ballot efforts, lessening the risk that they'll be tarred as anti-democratic. In Philadelphia, attorney Gregory Harvey is investigating reports that homeless people hired to collect signatures at \$1 each have been forging names on Nader petitions. Under election rules, Harvey has just a week to compare computerized voter registration records to the 25,865 petitions Nader must submit by the Aug. 2 deadline. Nader forces calculate they'll need at least 40,000 signatures to survive a legal challenge, but admit they are behind in the attempt.

Given the challenges to Nader's ballot petitions and his decision to forego a place on the Green Party ticket, Nader is unlikely to receive the 2.88 million votes he won in 2000. But in a close race, a few thousand votes his way in key states could once again determine the winner. Reason enough for neither Democrats nor Republicans to take the Nader factor for granted.

By Paul Magnusson in Levittown, Pa.

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**Exhibit 39**

**Nedra Pickler, "Kerry Has Chat with Nader – No Plea," *Associated Press* (May 20, 2004).**

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## Kerry has chat with Nader — no plea

By Nedra Pickler  
Associated Press

WASHINGTON — John Kerry met with independent Ralph Nader on Wednesday, but the Democrat didn't ask the third-party candidate to quit the presidential race despite widespread Democratic fears that his candidacy could ensure President Bush's re-election.

Kerry told The Associated Press shortly before the meeting that he believes he will "reduce any rationale" for Nader's candidacy, but he would never ask another candidate to abandon an election bid.

"In the end, I hope I can make people aware that a vote for Ralph Nader is a vote for George Bush," Kerry said. "A vote for John Kerry is a vote for the principles and values they care about."

Following the meeting, Nader said the two discussed a variety of issues but Kerry never asked him to abandon his independent campaign.

"He's a gentleman and he understands we all have to do what we have to do, as he put it," Nader said in a telephone interview with The Associated Press.

The candidates did discuss whether Nader would siphon votes from Kerry, a growing concern among Democrats who remain convinced that Nader's presence on the ballot four years ago, especially in Florida and New Hampshire, cost Democrat Al Gore the presidency.

"We talked about that and I told him of my belief that I would take more votes away from Bush than from him," Nader said. "He basically said it all comes down to what happens just before the election."

Nader said he and Kerry would meet again in the future. "We both agreed to keep the communication lines open and the common objective to defeat the Bush government," Nader said.

As Nader and Kerry were meeting, other Democrats not connected to the presidential campaign were launching an Internet-based movement, [TheNaderFactor.com](http://TheNaderFactor.com), to try to woo Nader supporters away from his long-shot bid.

Tricia Knight, president of the National Progress Fund that launched the site, said they planned to start airing television ads next week in which a Nader voter says he made a mistake that helped put

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Bush in office.

"We're not about telling Ralph Nader not to run," said Enright, who served as communications director for former Democratic candidate Howard Dean. "This is about uniting Democrats and progressives and Nader supporters together to make the party stronger."

A Kerry aide, speaking on a condition of anonymity, said Kerry led off the hourlong meeting by telling Nader that he intends to win the election and stressing their common goal of ousting Bush.

The aide said the two candidates spent the rest of the meeting talking about their common fights against corporate welfare and for consumer and abortion rights. The aide said they did not discuss the Iraq war.

Nader is seeking to rally anti-war sentiment and is critical of Bush and Kerry for not outlining a plan to withdraw U.S. troops. While Kerry voted to authorize the use of force in Iraq, he has been critical of Bush's handling of the war.

The meeting was attended by Kerry campaign manager Mary Beth Cahill and his deputy campaign manager Steve Elmendorf. Nader campaign manager Theresa Amato and his spokesman Kevin Zeese also were present.

Kerry told reporters and editors from The Associated Press that he respects other Democrats' efforts to get Nader out of the race, but his plan is to court voters inclined to support the consumer advocate.

"It's my intention to speak very directly to those people who voted for Ralph Nader last time," Kerry said. "I believe my campaign can appeal to them and frankly reduce any rationale for his candidacy."

The national Reform Party endorsed Nader last week, a move that gives him access to the ballot in at least seven states, including the battlegrounds of Florida and Michigan.

Enright said the National Progress Fund hopes to begin airing the ads in areas where Nader had the strongest support in 2000, such as Oregon, Wisconsin, New Hampshire and Florida. She started the group with John Hlinko, who helped start the online movement to convince retired Gen. Wesley Clark to enter the Democratic primary, and David Jones, who was a fund-raiser for Dick Gephardt.

Nader said the group's efforts sounds like an assault on freedom of speech. "I would advise them to cease and desist," he said.

"Since we do everything legally to get on the ballot, I don't see what they can do," he said. "They're better advised to spend their money to try to persuade the millions of Democratic voters who supported Bush in 2000 to vote for their ticket."

While many Democrats argue that Nader cost Gore the White House in 2000, Nader dismisses that suggestion, saying Gore was a poor candidate. But Kerry said Nader could help Bush win again.

"The polls have obviously shown that he pulls more from our side of the fence than from the other," he said. "Very simple."

*Associated Press Writer Sam Hananel contributed to this report.*

*On the Net: Kerry campaign <http://www.johnkerry.com/>*

*Nader campaign <http://www.votenader.com/>*

*Opposition group <http://www.thenaderfactor.com/>*

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**Exhibit 40**

**Eric Heyl, "Papers want to unseal Sen. Heinz estate records," *Pittsburgh Tribune-Review* (Aug. 18, 2004); Shannon Duffy, "Still Battling," *The Legal Intelligencer Online* (July 13, 2006).**



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OPINION & COMMENTARY

Editorials

Papers want to unseal Sen. Heinz estate records

By Eric Heyl  
TRIBUNE-REVIEW  
Wednesday, August 18, 2004



Two newspapers want a judge to unseal the estate records of the late Sen. H. John Heinz III, contending the documents possibly could shed light on Massachusetts Sen. John Kerry's presidential campaign.

The Morning Call of Allentown and the Los Angeles Times petitioned Allegheny County Court to make the records public. Common Pleas Administrative Judge Frank Lucchino has scheduled a Sept. 14 hearing on the request.

Heinz, a popular Republican senator from Fox Chapel and heir to the Heinz food fortune, was killed in an April 1991 plane crash. His widow, now known as Teresa Heinz Kerry, inherited his wealth and married Kerry in May 1995.

The day after John Heinz died, Common Pleas Judge Nathan Schwartz ordered that all documents in the senator's estate be shielded from public view. The court edict did not reveal why the records were sealed and did not indicate a hearing was held on the matter.

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Probate records generally are public information in Pennsylvania. The newspapers' petition states the public has a constitutional right to inspect such records.

"There is no indication ... that this estate requires special treatment that justifies maintaining the blanket sealing order currently in place," states the petition filed by attorneys Scott Henderson of Pittsburgh and Kelli Sager of Los Angeles. "In fact, records relating to the estate of Senator Heinz's mother remain available to the public in San Francisco County Probate Court."

The litigation was filed July 9, which was 20 days before Kerry accepted the Democratic nomination for president at the party's convention in Boston. Kerry's political ascension provides a compelling reason to unseal the records, the petition notes.

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"These records would provide valuable insight into the extensive philanthropic activities of Mrs. Heinz Kerry, and answer questions about whether those activities bear any relationship to the presidential campaign of her husband ... Democratic nominee Sen. John Kerry."

The newspapers are not seeking sensitive financial information such as account numbers, Social Security numbers and personal contact information. If such information is contained in the records, it could be withheld by the court, the petition states.

The Kerry campaign referred comment to attorney Paul Béchorr of New York.

"We believe it is an unwarranted invasion of the privacy of the family and an affront to the memory of the late senator," Béchorr said. "The executors will continue to vigorously oppose this application."

The Times and the Morning Call are owned by the Chicago-based Tribune Co., which also owns the Chicago Tribune.

*Eric Heyl can be reached at [sheyl@tribweb.com](mailto:sheyl@tribweb.com) or 412-320-7857.  
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## **Still Battling**

**The Legal Intelligence Online** ^ | July 13, 2006 | Shannon P. Duffy

Posted on 07/14/2006 10:14:15 AM PDT by **Interesting Times**

A controversial documentary titled **Stolen Honor: Wounds That Never Heal**, about Sen. John F. Kerry's anti-Vietnam War activities in the 1970s that was released just before the 2004 presidential election sparked at least five politically charged lawsuits.

Now there's only one.

In recent weeks, lawyers for the plaintiffs have dropped three libel suits brought by anti-war veterans who said they were falsely portrayed in the film made by journalist Carlton Sherwood.

Sherwood was also hit with a copyright infringement suit in New York that accused him of unfairly including clips from another film and photos from a book. But that case was dismissed last year.

Now the only remaining suit is a defamation and civil rights suit brought by Sherwood himself against Kerry and his Pennsylvania campaign manager, John Podesta, that accuses them of conspiring to stop the film from being shown.

The lawyer who was defending Sherwood in the libel suits, Robert C. Clothier of Fox Rothschild O'Brien & Frankel, is declaring victory, saying that plaintiff Kenneth Campbell's sudden decision to drop his two lawsuits came on the eve of a series of depositions of his key witnesses.

"The last-minute withdrawal of the lawsuits on the eve of these depositions suggests a great trepidation about what would come out at the depositions," Clothier said.

Clothier said that a friend of Campbell's, Jon Bjornson, had brought a "copycat" suit against Sherwood last summer, but withdrew the suit early this year before any discovery had taken place.

But Campbell's lawyer, James E. Beasley Jr. of The Beasley Firm, who also represented Bjornson, insisted that the upcoming depositions had nothing to do with Campbell's decision to drop his claims.

"Tell him [Clothier] don't flatter himself," Beasley said when told of Clothier's remark.

Beasley said in the complaint that the film had defamed Campbell by using "manipulative editing" of footage from the film **Winter Soldiers** to create the false impression that Campbell and another Vietnam vet had fabricated stories of atrocities.

But Beasley said Campbell decided to drop the suit because he had achieved many of his goals in bringing it by highlighting the controversy and persuading one area theater not to show it.

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**"At this point, what do we want to go further for? It seemed to be the right time to put a bullet in it," Beasley said.**

**But Clothier said he believes Campbell dropped the lawsuits because he knew that the upcoming depositions would assist Sherwood in proving the truth of his film.**

**Stolen Honor focuses on Kerry and other Vietnam vets who protested the war and claimed that American soldiers were routinely committing war crimes by killing civilians and mistreating prisoners.**

**The film also focuses on the impact those efforts had on American prisoners of war in Hanoi, who say their treatment was made much worse when their North Vietnamese captors decided that, as war criminals, they were not entitled to the protections of the Geneva Convention.**

**Clothier said Campbell's lawsuits "never made any sense."**

**In the suits, Clothier said, Campbell claimed that the film defamed him even though he was never identified or mentioned by name.**

**According to Clothier, the film "merely show(s) him for a few seconds in a 35-year-old film clip asking questions of another man who said he had 'forgotten' about wiping out an entire village in Vietnam."**

**But Beasley, in the suit, focused on a brief section of the film that, he says, portrayed Campbell in a false light by creating the impression that Campbell's anti-war efforts, as documented in the film Winter Soldier, were nothing more than false allegations of wartime atrocities.**

**By showing only a tiny snippet of Winter Soldier, the suit said, Sherwood's film engaged in "intentionally misleading editing" that left out critical facts showing that Campbell and the man he was speaking with were, in fact, Vietnam vets who "were aware of and/or participated in massacres (other than My Lai), and wished to truthfully show the American people and government the pattern and practice of the U.S. military in Vietnam, as evidenced by firsthand accounts of village massacres and murder in contradiction of international laws and the rules of our military."**

**Campbell had filed two suits. The first named Sherwood and his production company, Red White & Blue Productions. The second named Vietnam Veterans Legacy Foundation and NewsMax.**

**Now that both of Campbell's suits have been dropped, Sherwood's only remaining court battle stemming from the film is his own suit against Kerry and Podesta.**

**Sherwood, who describes himself in the suit as a Pulitzer Prize- and Peabody Award-winning newspaper and television investigative reporter, contends that the film Stolen Honor tells the story of Kerry's involvement with Vietnam Veterans Against the War, including the Winter Soldier hearings in Detroit in 1971 and his testimony before Congress.**

Attorneys Howard D. Scher, Rudolph Garcia and Thomas P. Manning of Buchanan Ingersoll & Rooney set out in the suit to prove that Sherwood's film truthfully shows that Kerry and others had exaggerated and fabricated allegations of atrocities.

Kerry's allegations, the suit says, were "concocted by anti-war activists to undermine public support for the war."

The suit says Kerry knew that testimony in the Winter Soldier hearings was false, and that Kerry "personally pressed 'witnesses' to manufacture stories of atrocities that the 'witnesses' had neither participated in nor witnessed."

Sherwood made the film, the suit says, "to explain to the public the sense of betrayal felt by many Vietnam veterans — particularly among former POWs — against Kerry and others who had built their reputations by slandering America's Vietnam veterans."

The suit says Sherwood had struck deals to have his 42-minute film shown on 62 television stations owned by the Sinclair Broadcasting Group and in the Baederwood Theater in Abington, Pa.

But the suit says the theater showing was canceled and that Sinclair ultimately aired only a few minutes of the film due to a "coordinated conspiracy" by Kerry, Podesta and others to "discredit and silence Sherwood."

According to the suit, the Democratic National Committee issued an "action alert" in October 2004 that said Stolen Honor was "written, produced and funded by extreme right-wing activists" and was "false."

The truth, the suit says, is that the film was written and produced entirely by Sherwood and funded entirely by Pennsylvania veterans.

The suit also quotes an e-mail in which Podesta described Sherwood as a "disgraced former journalist" and "Bush hack" who had "crawled out of the gutter."

Podesta's e-mail urged its recipients to contact the Baederwood Theater to insist that the film not be shown.

Sherwood also claims in the suit that Kerry was behind Campbell's decision to file his defamation suit.

"Campbell was acting at the behest of, and on behalf of, Kerry in filing this lawsuit and in publicly stating that Stolen Honor was false, in an effort to prevent the public from seeing the film," the suit says.

The suit says Kerry was also behind the copyright lawsuit filed in New York which sought an injunction barring the film from being shown by Sinclair, and that "once the 2004 election had passed," the plaintiffs in that case "made no further efforts to enforce their purported copyrights, to obtain an injunction, or recover any damages."

Kerry was also the motivating force, the suit says, behind a letter sent to the Federal Communications Commission by 17 Democratic senators that called for an investigation of Sinclair's decision to air the film.

"The senators' letter was intended as pure intimidation," the suit says. Lawyers for Kerry and Podesta have moved to dismiss Sherwood's suit, arguing that none of the remarks made by the Kerry campaign were defamatory and that the actions of others, such as filing lawsuits and writing to the FCC, are protected by the Noerr-Pennington doctrine.

Kerry's lawyers — Paul J. Bachorr, Alan K. Cotler, Shannon Elise McClure, Kevin C. Abbott and Colin E. Wrabley of Reed Smith — argue in their brief that Sherwood's film had attacked Kerry personally, going so far as to accuse him of war crimes.

Kerry and his supporters, they argue, "did what would be expected in the realm of politics — they fought back and challenged the veracity of the movie and its author."

Although Sherwood claims he was defamed by Kerry and others, the defense team argues that the Kerry campaign's response to the film is "squarely within the long-recognized First Amendment protection afforded to such political speech."

Podesta's lawyers — Michael N. Onufrak and Thomas A. Warnock of White & Williams — argued in their motion to dismiss that Sherwood and his production company are "public figures" because they "voluntarily injected themselves into a public controversy when they published a documentary discussing opposition to the Vietnam War and attacking a presidential candidate days before the election."

The suit fails, Onufrak and Warnock argue, because Sherwood cannot show "actual malice" since the alleged defamatory statements "were not made with actual malice but rather in response to plaintiffs' attack and with the intention of advancing a presidential candidate's campaign."

Senior U.S. District Judge John P. Fullam has not yet ruled on the motions to dismiss, but court records show that Sherwood's lawyers asked the judge on July 10 to take "judicial notice" of the fact that Campbell has now dropped his defamation lawsuits.

In their motion, Sherwood's lawyers said "Campbell's voluntary discontinuance is evidence in support of the fact that the suit was objectively baseless."

The motion also says that the timing of Campbell's filing of the suit and his recent decision to drop the case is "evidence that the suit was instituted at the behest of and on behalf of [Kerry and Podesta] in order to use the legal process, as opposed to the outcome of that process, to prevent the broadcast and public showing of Stolen Honor."

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**Exhibit 41**

**Carlyn Kolker, "Anti-Nader raiders: a massive pro bono effort works to block a third-party ballot spot in the Keystone State," *American Lawyer* (Oct. 1, 2004).**

**Anti-Nader raiders: a massive pro bono effort works to block a third-party ballot spot in the Keystone State.(Ralph Nader)(Pennsylvania)**

**Source: American Lawyer**

**Publication Date: 10/01/2004**

**Author: Kolker, Carlyn**

**ELECTION LAWYERING** is rarely a full-time practice, but it's more than a quadrennial affair. And this cycle's worth of advocacy is proving to be as heated as the presidential elections themselves.

In Pennsylvania, the effort has centered on third-party candidate Ralph Nader. A team of more than a dozen attorneys—including members of Pittsburgh's Reed Smith, Philadelphia's Montgomery, McCracken, Walker & Rhoads, and solo practitioner Brian Gordon, also of Philadelphia—spent the month of August finessing arguments that Nader does not belong on the ballot in their home state. The pro bono mission capitalized on some lawyers' pro-John Kerry fervor, which translated into deep anti-Nader spirit, on the assumption that his candidacy would siphon off votes from the Democrat.

After oral arguments before the Commonwealth Court of Pennsylvania in August, the court ruled for the anti-Naderites. (At press time the Supreme Court of Pennsylvania had not yet ruled on an appeal.)

The lawyers argued that Nader's different party affiliations around the country—he's running on the Reform Party ticket or as an independent candidate, depending on the state—should keep him off the ballot in Pennsylvania, according to state law. In addition, they claimed that many of the signatures that the candidate had collected for his ballot petition were invalid and that some were out-and-out forgeries.

Gregory Harvey, a partner at Montgomery, McCracken and a veteran election law specialist in Philadelphia, says he first began looking at ways to bounce Nader from Pennsylvania over the summer. (The state, which Al Gore won narrowly in 2000, promises to be a close call in the presidential election.) After reading accounts of possible petition forgeries in The Philadelphia Inquirer, he convinced his firm he could present a challenge in court.



Over at Reed Smith, the project was billed as charity, although keeping Nader out of the election isn't quite feeding the poor or representing a death row inmate. Daniel Booker,

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an antitrust partner and former firm chair who is spearheading the anti-Nader effort, says the firm's pro bono committee determined the project would not damage client relations. "Our pro bono program does not forbid things that will have a political effect," says Booker. He insists the project was part of a "good government" effort.

On the other side, Samuel Stretton, a solo practitioner based in West Chester, Pennsylvania, who is representing the Nader campaign, says he sees his work as "an access to ballot" issue. While he is remunerated for his efforts, he describes the fee arrangement as "quasi pro bono."

Just as Harvey's team reviewed Philadelphia signatures, about a dozen Reed Smith attorneys, including seven partners, spent 1,300 nonbillable hours reviewing signatures throughout the state, overseeing 50 volunteers who reviewed Nader's petitions, and preparing the brief challenging Nader's submission to the ballot. In addition, the firm devised a giant database that compared names on the petition to voter rolls, as well as to names that appeared multiple times in the petitions. In just six days, the volunteers, holed up in Reed Smith conference rooms, reviewed the signatures manually, and then shot them through the database. The objection to Nader's petition, which included 4,500 pages of exhibits, was filed jointly by the Philadelphia and Pittsburgh teams.

And that's just the preelection challenge.

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**Exhibit 42**

**Sam Hananel, "Democrats Challenge Nader in Arizona," *Associated Press* (June 27, 2004).**

**Democrats challenge Nader in Arizona**

**Sunday, June 27 2004**

**General News**

**PHOENIX (AP) - Two Arizona voters on Wednesday filed the first Democratic challenge to independent Ralph Nader's bid to get on a state's November presidential ballot.**

**The Democrats alleged that more than 70 percent of the 21,500 petition signatures recently filed for Nader are invalid, the Arizona Democratic Party said. Nader needs 14,694 valid signatures to get on Arizona's ballot.**

**Democrats Dorothy Schultz and Betty Elizabeth Hughes also alleged in the complaint that some of those who circulated petitions for Nader didn't meet residency requirements and other qualifications, the party said. Several are prohibited from gathering signatures because they are convicted felons, according to the party.**

**"If (Nader) is going to be on the ballot, it has to be in a legitimate way," said Arizona Democratic Chairman Jim Pederson.**

**The party, which under state law can't file the challenge in its name, said it supports the two voters' effort.**

**Nader spokesman Kevin Zeese dismissed the complaint, which was filed in state court.**

**"I don't think it's a very credible challenge," he said.**

**Pederson said the party had informed Democrat John Kerry's campaign about the lawsuit.**

**"They said, 'You're on your own,' basically," but did not try to stop it, he said.**

**Allison Dobson, a Kerry spokeswoman, defended the action by saying rules must be followed.**

**"The Democratic Party has a right to make to sure that those rules are being followed and that the law is met," she said. "We're abiding by them and it's only fair that others abide by them, too."**

**Many Democrats blame Nader, a Green Party presidential candidate four years ago, for taking away liberal votes from Democrat Al Gore and helping ensure President Bush's victory.**

**Nader's campaign blames the U.S. Supreme Court and an inept Gore campaign.**

**In any event, Nader didn't siphon enough votes from Gore to overcome Bush's lead in Arizona. Even if Nader's 45,000 votes had gone to Gore, Bush would still have beaten the Democratic nominee by 50,000 votes.**

**Democrats said the dynamics of this election are different.**

**Arizona, long viewed as a Republican stronghold, elected Democrats for governor and**

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attorney general in 2002, and polls show a close race between Bush and Kerry. Both parties also are paying more attention to the state than in the past.

Democrats fear Nader could give Bush an edge in Arizona if he is allowed to chip off some of their support.

Nader is not yet on any state ballot. He has been endorsed by the national Reform Party, which has ballot lines in seven states, including the battlegrounds of Florida and Michigan. He also is seeking the endorsement of the Green Party, which has secured ballot access in 22 states and the District of Columbia.

His campaign said he expects to appear on the ballot in 45 states.

Last month, Nader filed a lawsuit in Texas to try to compete there, alleging a petition signature requirement is unconstitutional.

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**Exhibit 43**

**María Recio, "Nader Vows Legal Fight to Appear on Florida Ballot," *Knight-Ridder*  
(Sept. 9, 2004).**

# Nader vows legal fight to appear on Florida ballot

BY MARIA RECIO

Knight Ridder Newspapers

WASHINGTON - (KRT) - Independent candidate Ralph Nader's efforts to mount a credible national campaign hit another snag Thursday as he was engaged in a fierce legal battle to get back on the Florida ballot a day after a state judge there threw him off.

Nader, bitter about Democratic-led efforts to neutralize him, said he would appeal the decision denying him a ballot slot as the nominee of the Reform Party and complained to reporters Thursday about "Jim Crow ballot access laws that have absorbed our time and resources in state after state."

Nader is safely on the ballot so far in 23 states, but Democrats have succeeded in keeping him off the ballot in four key battleground states - Florida, Pennsylvania, Missouri and Arizona. The consumer activist has legal challenges around the country and still hopes to get on ballots in a total of 40 states.

But nowhere is the symbolism more important than Florida.

Nader, the Green Party nominee in the 2000 presidential race, was branded "the spoiler" by angry Democrats for siphoning votes from Democratic nominee Al Gore in Florida, which George W. Bush won by 537 votes. Nader, whose pro-environment, pro-consumer views are closer to Gore's, received 97,488 votes.

Nader rejects the notion that he was the spoiler in the last election and predicted Thursday that "the Democrats are probably going to lose" this year's election. He blamed Democratic nominee John Kerry's unwillingness to tackle corporate crime and promote domestic issues.

"The Kerry campaign has taken the corporate poison pill," Nader said.

But Democratic activists aren't taking any chances with a Nader factor, even with the most recent national polls giving him 3 percent or less in popular support.

"Florida is huge - huge," said Toby Moffett, a former Democratic congressman from Connecticut and one-time Nader associate who co-founded the Ballot Access Project that's trying to stop Nader nationwide. "Florida is not only important for the obvious reasons but also as a symbolic victory."

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In a Miami Herald/St. Petersburg Times poll conducted from Aug. 31 to Sept. 2, Bush had 48 percent to Kerry's 46 percent in Florida with Nader at 2 percent. Four percent of those responding were undecided.

In two suits brought by the state Democratic Party and voters represented by the Ballot Access Project, Nader opponents argued that Nader's effort to get on the ballot on the Reform Party line was a sham. They argued that the Reform Party was not a "national" party as called for by Florida law.

In May, Nader was endorsed by the Reform Party in a teleconference call with 27 party officials. Then, to satisfy a Florida law that requires a national convention to secure a place on the ballot, the Reform Party met in a convention in Irving, Texas, to ratify its earlier endorsement. Some 60 members attended the August convention in Texas.

But Leon County Circuit Judge Kevin Davey decided against recognizing the Reform Party, which was founded by Dallas billionaire Ross Perot who ran for president in 1992 and 1996.

On Wednesday, Davey issued a temporary restraining order to keep the Florida secretary of state from certifying ballots that must be printed in time for the Sept. 18 mailings to absentee voters.

"The Reform Party is a skeleton of its former self," said Davey. "It appears that the Reform Party is no longer a national party."

However, Nader sympathizers say that five other minor parties, such as the Socialist Workers Party, qualified for the ballot in Florida, and are running presidential candidates. "It's hard for me to understand how they can claim the Reform Party isn't a party and these parties are," said Richard Winger, the editor of Ballot Access News, a newsletter on ballot issues.

Meanwhile, in Pennsylvania, a state Commonwealth Court refused to alter its order keeping Nader off the ballot. But in Oregon, where election officials had kept Nader off the ballot, a judge Thursday ordered him on it. The Oregon secretary of state is considering an appeal of that order.

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**Exhibit 44**

**Hugo Torres, "Tribe Argues to Keep Nader off Florida Ballot," *The Record* (Sept. 30, 2004).**

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## Tribe argues to keep Nader off Florida ballot

By: Hugo Torres

Issue date: 9/30/04 Section: News

On September 17th, Professor Laurence Tribe stood before the Florida Supreme Court, delivering arguments in a case that could have a significant impact on the presidential election. In a 6-1 ruling delivered the same day, the Florida Supreme Court rejected arguments that Nader had not met the requirements to be the candidate of the Reform party.

Theresa Amato, Ralph Nader's campaign manager, blasted Tribe for his involvement in efforts to keep Nader off the ballot. "It was shameful," Amato said. In an interview with the Record, Amato also attacked the Democrats for such tactics, alleging that arguments to keep Nader off the ballot hinged entirely on "ambiguities and hyper-technicalities."

"It is an example of the lengths the Democrats will go to get Ralph Nader off the ballot," said Amato.



Media Credit: Hugo Torres  
Theresa Amato (second from left), Ralph Nader's campaign manager, speaks at the Kennedy School at a forum about independent politics. Jesse Ventura (far right) also spoke at the panel.

Tribe defended his involvement, pointing out that Nader's participation went against the very ideals which Nader had trumpeted for his entire career. "I believe that Nader, with whom I have worked in the past and whom I admire greatly for his lifetime of devotion and accomplishment in the fields of consumer safety, environmental protection, and corporate responsibility, is unfortunately responsible for the fact that Bush rather than Gore became the 43rd President," said Tribe. As such, Tribe alleges that Nader bears some responsibility for "the enormous setbacks that presidency continues to bring with respect to human rights, civil liberties, the physical environment, the place of America in the world, and even the prospects for effectively combatting international terrorism, which I believe has been spawned by what the Bush Administration has done in Iraq more rapidly than it has been controlled by what the Administration has done either abroad or at home."



Media  
Credit:  
Hugo  
Torres  
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enlarge]

Tribe alleges that Nader's decision to run is based more on ego than on a desire to improve the country. "For Nader to use the ballot box in states like Florida as a pulpit for his views, however progressive and enlightened some of those views may be, seems to me an inexcusable indulgence and a grave abuse of the electoral process," said Tribe.

"It is an abuse that Ralph Nader is perpetrating at incalculable human and ecological cost, and one that, among its many tragic consequences, risks fully erasing the great legacy that Nader would otherwise have left in his wake."

This is not the first time Professor Tribe has argued an important case stemming from Florida and impacting a presidential election. In 2000, Tribe represented Vice President Al Gore before the United States Supreme Court over the issue of whether ballots should be recounted in Florida. Many believe Nader was responsible for Gore's loss during the 2000 election, when Gore lost Florida by 537 votes. Nader garnered 97,000 votes in Florida during the 2000 election, votes which some believe would have gone to Gore.

The challenge against Nader this year centered around the question of whether the Reform party properly nominated Nader to be its candidate. Florida law allows ballot access to national parties that have conventions to nominate a candidate. Tribe and others challenged the legitimacy of reorganizing the Reform party as a national party, since it nominated Nader via a conference call and has only \$18 in its bank account.

Tribe noted that the constitution of the Reform Party itself has a similar provision requiring that its candidate be chosen at a national convention. Thus, party officials failed to follow Florida law and its own internal regulations. "Without amending that provision, the party's leaders simply announced that they would make the nomination for 2004 in a conference call among a select set of members of the party's national committee," said Tribe. "The party did so in a phone conference on May 11, 2004. It then publicly announced that it had nominated Nader for president, and he formally accepted the nomination."

Tribe notes that even the Nader campaign realized this would not be enough. Tribe points to Nader's subsequent behavior as evidence of this. "When Nader was advised by lawyers that a telephone call (the modern equivalent of a smoke-filled room) obviously would not satisfy Florida law," the Nader campaign, according to Tribe, scrambled to be in compliance. "Nader and the two people running what's

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left of the Reform Party hastily arranged for a "business session" of selected members to be convened in a hotel room in a town near the Dallas airport, where his nomination was officially "certified" (a concept to be found neither in Florida law nor in the Reform Party's Constitution) in a voice vote on which no one was permitted to vote 'no,'" said Tribe.

The Nader campaign questioned whether the case was about the law or whether it was about making sure only Nader remained off the ballot. "There are twenty-three registered parties [in Florida], [and] six made it to the Secretary of State," said Amato. "The only one challenged was the Reform Party." Furthermore, Amato found preposterous the notion that to be a convention people had to meet in person and not on the phone, noting that such requirements were not in the text of the statute at issue.

Amato also noted that the Nader campaign has been specifically targeted in other states, with Nader being largely successful in defending his access to the ballot.

Opposing counsel was no stranger to such contests: Kenneth Sukhia, representing the Nader team, assisted the legal counsel team of George W. Bush in 2000. This has led some Democrats to allege collusion between the Bush campaign and the Nader campaign, a charge Amato denies.

Amato explained that the Nader campaign at first sought the help of the ACLU and other legal groups, who declined to get involved. Amato said the Nader campaign then sought out to hire a lawyer specializing in Florida election law and found Sukhia. "We paid for him," said Amato of Sukhia, who handled military ballot cases in the 2000 election. According to Amato, the Bush campaign neither funded the Nader campaign nor supplied any assistance in defending the case in court.

Tribe also denied being funded by outside parties, specifying that neither the Democrats nor the Kerry campaign paid his way. "I was not paid anything for my involvement. I handled the case pro bono, and I had to find a way to get from Boston to Tallahassee by going through the path of Hurricane Ivan, partly by plane and partly by car. It was an adventure I recommend only to the foolhardy," said Tribe.

The Nader campaign applauded the court's ruling, which Democrats have decided not to appeal. "We're very pleased that the Florida Supreme Court saw the issue our way," said Amato.

Tribe, however, remains skeptical that justice was served. "In my view, the Florida Supreme Court did not honestly come to grips with any of this. Only the trial court, the dissenting justice, and the concurring justice even discussed the heart of the legal problem with the Nader candidacy," said Tribe.

"In effect, the Florida Supreme Court was completely and unjustifiably spooked by its experience in 2000 in *Bush v. Palm Beach County* and *Bush v. Gore* and by the unjustified accusations of partisanship on its part in the 2000 election, so it overcompensated by being truly political, in the worst sense, this time around."

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**Exhibit 45**

**Janice D'Arcy, "Nader Says He'll Take on Democrats in Swing States," *Hartford Courant*, (Sept. 10, 2004).**

**Nader Says He'll Take On Democrats In Swing States**

**September 10, 2004**

**By JANICE D'ARCY, Courant Staff Writer**

**WASHINGTON** – In what could become a worst-case scenario for Democrats, Ralph Nader announced plans to launch a spirited new phase to his independent candidacy in swing states Thursday. At the same time, he is suggesting that part of its purpose would be to retaliate against Democrats who had fought his candidacy.

Nader will begin his fall campaign by traveling through Ohio, Pennsylvania, Michigan and Wisconsin in the next week. He plans to rally voters by blasting the war in Iraq and corrupt corporations, and also by criticizing Democrats for their efforts to keep him off ballots in the most competitive states.

Nader made it clear at a breakfast gathering with journalists here that he is angered by Democratic efforts to stall his candidacy and he will focus attention on what he deems harassment. "We're exposing all the pus and the bile," Nader said of the Democratic efforts. "We're flushing the system out."

Nader's swing state agenda announcement came just as the Democrats working against him intensified their efforts by sending a group of about 30 lawyers with a budget expected to reach about \$100,000 to Florida where they are challenging Nader's right to appear on the presidential ballot there. Late Thursday, a judge agreed with them, issuing an order that will keep Nader off the ballot, for now.

Florida is not just a symbol of what many Democrats believe was Nader's "spoiling" of the 2000 election - when he received more votes than the difference between the then-Gov. George Bush and then-Vice President Al Gore. It is a battleground state again this time.

According to polls collected by anti-Nader groups, there are about a dozen states where he could attract more votes than the difference between the major party candidates in November.

Robert Brandon, a public interest lawyer and former Nader colleague who founded United Progressives for Victory, said his group is recruiting former Nader supporters to speak out against his 2004 presidential run in Florida, Iowa, Michigan, Minnesota, Missouri, New Hampshire, New Mexico, Nevada, Ohio, Washington and Wisconsin.

Another group, The Ballot Project, is challenging Nader's ballot proposal in Florida and other states. It has ongoing litigation in Arizona, Michigan, Ohio, Oregon, Pennsylvania and elsewhere.

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**Liz Holtzman, the former New York congresswoman who is a founder of the Ballot Project, rejected Nader's claims. She said the challenges have been successful because their lawyers have found that Nader workers have not always followed the rules.**

**Ballot challenges consumed Nader's resources this summer and forced Nader to repeatedly downgrade his goal to run as a national alternative to the two major candidates. According to Ballot Access News, Nader currently is on 23 ballot lines and has the potential to appear on 44 at most.**

**Though his ballot status remains unclear in roughly half of the states, Nader and his aides said they would now shift their attention to the business of campaigning.**

**An even more direct retaliation for the Democratic efforts is coming from Nader verbally. He has expanded his usual campaign touchstones to include a critique specifically attacking the Democrats' ballot challenges.**

**On Thursday morning, Nader spent much of his hour-long talk explaining the ballot challenges and criticizing the Democrats behind it.**

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**Exhibit 46**

**Todd Spivak, "Challenging the Challengers," *Illinois Times* (July 8, 2004).**

Illinois Times, July 8, 2004, by Todd Spivak

**Challenging the challengers**  
*It's not easy being Green in Illinois*

With no money, no political organization, no name recognition, and no media coverage, it's safe to say attorney Scott Summers has no chance.

"I have no illusions about winning," says Summers, of Harvard, Ill., regarding his campaign for the U.S. Senate on the Green Party ticket.

Indeed, Summers likely will never appear on the state ballot.

The Democratic Party of Illinois last week backed challenges to the nominating petitions of several third-party candidates, including Summers.

John F. Tully Jr., a Democrat from Chicago, formally filed the objections. Tully is represented by Michael Kasper, legal counsel to state Democratic Party.

Tully also formally filed an objection to Ralph Nader's independent presidential bid. In 2000 Nader garnered more than 103,000 votes, or 2.2 percent, in Illinois as a Green.

Petition challenges have already knocked Nader off of ballots in Arizona and Oregon.

"The public ought to demand that every party follow the law," says Steve Brown, spokesman for state Democratic Chairman Michael Madigan.

Marc Sanson, an Illinois Green Party member from Springfield, says the state's requirements for nominating petitions -- 25,000 valid signatures -- is overly burdensome.

"It's designed to be nearly insurmountable," says Sanson, who expects several Illinois Greens to have to fold their campaigns.

Still, there are a handful of Green candidates, for county and statewide offices, whose names will appear on ballots in November.

Greens are running for such offices as state's attorney, county clerk, and coroner in Champaign, Union, and Fayette Counties.

Phil Huckelberry, of Normal, is running as a Green for state representative in the 88th District, and Julie Samuels, of Oak Park, is running as a Green in the 8th District.

In Carbondale, Green Party member Rich Whitney, an attorney, is mounting his second challenge to incumbent Republican Rep. Mike Bost for a seat on the state legislature.

Whitney collected more than 5 percent of the vote during his 2002 bid, giving him established party status. That reduced the number of signatures he had to file this year to just 5,000.

Since starting his campaign in December, Whitney said he now has \$6,000 for the race, much of which will go toward advertising costs. He hopes to raise another \$18,000 to compete in the election.

"We think we can win," says Whitney. "There's a very active local chapter here."

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**Exhibit 47**

**Patrick Martin, "Illinois Democratic Officials Use Legislative Staffers to Attack Third-Party Campaigns," *World Socialist Web Site* (July 6, 2004); "Democrats Put Bush on Ballot While Fighting to Keep Nader Off It," *Critical Montages* (July 19, 2004).**

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## WSWS : News & Analysis : North America

### Illinois Democratic officials use legislative staffers to attack third-party campaigns

By Patrick Martin  
6 July 2004

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In a continuation of a longstanding campaign practice of dubious legality, the Illinois state Democratic Party is using paid legislative staffers to attack the campaigns of the Socialist Equality Party, the Greens, the Libertarians and independent presidential candidate Ralph Nader.

Two Democrats copied or viewed the petitions of Tom Mackaman, the SEP candidate for state representative in Illinois's 103rd legislative district, which includes the twin cities of Champaign and Urbana. Elizabeth Brown and Brendan Hostetler are both employees of the Democratic majority in the state house of representatives.

On Tuesday, June 22, Brown went to the state board of elections office in Springfield and purchased copies of the petitions filed by Nader and Mackaman. A few hours later, Hostetler visited the same office and viewed Mackaman's petitions.

Both actions took place during normal working hours (Brown at 9:09 a.m., Hostetler at 2:40 p.m.), when the two would be expected to be performing legislative duties at the state capitol.

On the same day, Michael Kasper, general counsel for the Illinois Democratic Party, purchased copies of the petitions filed for the Green Party presidential and US Senate candidates. He had previously obtained the petitions of an independent presidential candidate, Melissa Vining of Wheaton, Illinois.

On Monday, June 28, Geraldine Parr, treasurer and former chairman of the Democratic Party in Champaign County, filed an objection to ballot status for Tom Mackaman in the 103rd district. Another Democratic Party representative, John Tully, filed objections to statewide ballot status for Nader, Vining and the Greens.

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The overlapping of these actions demonstrates the coordinated nature of the Democratic Party campaign against third-party candidates. Brown collected information for the challenges against both Tom Mackaman and Nader, supplying the information to Parr and Tully respectively. Tully, in turn, received information from both Brown and Kasper, and then filed official objections against Nader and the Greens.

A spokesman for state Democratic Party Chairman Michael Madigan, who is the speaker of the state House of Representatives, said the party was "happy to assist" in the challenges. Madigan's spokesman added, with consummate cynicism, that "everyone should play by the rules and follow the law." This statement is particularly ludicrous given the sordid record of the Illinois state Democratic Party in regard to financial corruption and ballot-rigging, including the notorious Chicago "tombstone vote," in which long-dead citizens were recorded as having cast ballots for favored party candidates.

The second Democrat to check Tom Mackaman's petitions, Brendan Hostetler, claimed to be doing so as a "private citizen" rather than as a state or Democratic Party employee. He is a longtime associate of the incumbent Democratic state representative in the 103rd district, Naomi Jakobsson, serving as her petition checker in December 2001. He reviewed signatures filed on behalf of Jakobsson's opponent in the March 2002 Democratic primary.

This connection strongly suggests that Jakobsson had knowledge of and supported the attempt to remove her socialist opponent from the ballot. The SEP intends to make this assault on democratic rights a major issue in the fall election campaign.

The Republican Party has carried out similar attacks on the democratic rights of parties, such as the Libertarian Party, which they believe will draw support from more conservative voters. Two Republican operatives checked the petitions for Tom Mackaman but did not challenge them. One of them, Bryan Hartman, is an aide to state Senate Republican leader Tom Cross, who has been very active in efforts to deny ballot status to the Libertarians.

According to reports published by the Libertarian Party, dozens of state employees were mobilized by Republican legislators and the administration of George Ryan, the Republican governor from 1998 to 2002, to keep Libertarian candidates off of the ballot. Illinois Republican Chair Judy Baar Topinka, the state treasurer, is currently under federal grand jury investigation for using Treasury employees for this purpose.

These exclusionary tactics are employed under conditions of what

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appears to be an informal agreement between the Democrats and Republicans in Illinois, in which the two parties cede control of large sections of the state legislature to one another. Republicans do not run in Chicago, and Democrats do not contest many downstate seats. All told, in half of all state legislative and state senate elections in 2004, the Republican or Democratic incumbent will have no major-party opposition.

The state's election laws are so restrictive that George W. Bush himself would be denied ballot status if the laws were enforced equally on all parties. This is so because the Republican nominating convention in New York City will take place after the deadline for the Illinois ballot.

On June 30—two days after the Democrats and Republicans filed their challenges against the SEP, the Greens, Nader and the Libertarians—the two parties joined forces to pass legislation to put Bush on the ballot. The Democrats were rewarded for this favor with perks of their own, including, reportedly, the effective dismissal of as much as \$1 million in fines for campaign law violations.

See Also:

[Stop the Democratic Party's attack on third-party campaigns! Place SEP candidate Tom Mackaman on the ballot in Illinois!](#)  
[3 July 2004]

[Top of page](#)

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# Critical Montages

"Method of this project: literary montage. I needn't say anything. Merely show." -- Walter Benjamin

Monday, July 19, 2004

## Democrats Put Bush on the Ballot While Fighting to Keep Nader off It

The Democrats change the election law to put George W. Bush on the ballot in Illinois, in addition to eight other states, but fight hard to keep Ralph Nader off it in the same state, as well as in all other states:

- Illinois fixed a glitch in its election law on Thursday to ensure President Bush appears on the state's Nov. 2 ballots.

The relatively late dates of this year's Republican Party convention, running Aug. 30 to Sept. 2, meant that Bush would not be the official nominee until after an Aug. 30 deadline set in state law.

The ballot qualification issue arose in nine states, with Illinois the last to take care of it. The amendment allows candidates onto the ballot who are nominated after the deadline.

"Illinois citizens should be able to vote for the sitting president if they choose, and this technical change will make sure that they have that option in November," said Gov. Rod Blagojevich, a Democrat. (Reuters, "Illinois Fixes Glitch to Keep Bush's Spot on Ballot," [July 8, 2004](#))

- "[Gov. Rod Blagojevich] thinks President Bush should be on the ballot. He should be a choice," said Rebecca Rausch, a spokeswoman for the governor. (Scott Miller, "Bush Will Appear on Ballot," [Bloomington Pantagraph, June 29, 2004](#))
- [Jeff] Trigg [the executive director of the Libertarian Party of Illinois] related how the

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Democrats had recently made a deal with the Republicans to allow George Bush to be placed on the Illinois ballot after the official deadline to certify candidates in the state expired. Michael Madigan offered the Republicans a deal: 'If you forgive \$1 million in campaign fines against Democrats, we'll change the deadline for President Bush.'

"The Democrats cooperated with the Republicans to put them on the ballot. Doesn't that tell you who their real enemy is? They had a perfect opportunity to keep the person who they say is their worst enemy off the ballot, but they didn't do it. They willfully went along with it so President Bush could take advantage of the 9/11 anniversary in New York. Yet they are challenging Ralph Nader, the Green Party and Tom Mackaman. That tells you their real enemy is voter choice." ("Green Party, Libertarians Join SEP to Denounce Attack on Third Party Campaigns," WSWS.org, July 17, 2004)

- The Illinois Nader for President campaign says that fulltime employees for House Speaker Mike Madigan's office were involved in challenging petition signatures during the last few weeks of June, working to disqualify Nader from the General Election ballot.

Christina Tobin, local coordinator for the Ralph Nader for President, said that while the challenge was in process. . . she noticed a several people challenging signatures at the Chicago Board of Elections and Cook County Clerk's office were the Speaker's employees, and others were interns.

IllinoisLeader.com obtained the payroll for the Speaker's Office for June and compared it with the late June sign-in sheets for the Chicago Board of Elections and the Cook County Clerk's Office. The following 12 full-time employees were found doing political work:

- Michael Cassidy
- Shaw Decremer
- Jill Edelblute
- Kimberly Hegarty

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- Elizabeth Moe
- : Kirk Mottram
- : Rebecca Novak
- : Martin Quinn
- : Dorothy Randle
- : Peter Senechalle
- : Jon Valadez
- Ronald Wos

Eight other petition challengers were not fulltime employees, but on contract with the state:

- Tom Foley, Jr.
- : Joe Garcia
- : Angela Gargano
- Tom Hildreth
- : Kevin McCarthy
- Teri Negovan
- : Kristy Nice
- : David O'Farrell

Some worked one day, while others like Shaw Decremmer and Rebecca Novak signed in and worked multiple days. All but Kimberly Hegarty were paid the same amount for the first half of June as for the last half.

IllinoisLeader.com filed a freedom of information request to see House Speaker's office time sheets for the staffers during the days they were seen at the Chicago Board of Elections, but it has not yet been fulfilled.

Steve Brown spokesman for Speaker Madigan's office said today if any of the Speaker's employees were at the Board of Elections doing

- Blogorrhoea
- Boiled Meat
- Bombs and Shields
- Bring Them Home Now
- CatchingFlies
- Center for Economic and Policy Research
- Charlotte Street
- Chickenbones
- China Study Group
- Chiselpoint
- Chomskybot
- Chris Kromm
- CirqueMinime/Paris
- Commie Curmudgeon
- Confined Space
- Contra o Consenso
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- DamagedCity
- Dead Men Left
- Dialectics at a Standstill
- Dispatch from the Trenches
- Dissident Voice
- duckdaotsu
- Doc in the Box
- The Early Days of a Better Nation
- Ecosocialism
- The Electronic Intifada
- Equal Vote
- Erudite Fumblings
- Esc.
- Facing South
- Far from Finished
- The Fifth Institution
- Fight to Survive
- Fightin' Cock Flyer
- Fundamental Obligations
- Genosse TABU
- Great Expectations for a Mad World
- Green Imagination
- Green Party of the United States
- Greens for Greens
- Greens for Nader
- Harlequin Knights
- I Self Ra/Dan Tres OMI

work, they were not there on state time.

"They were either on vacation, time off, but it was not 'comp' time," Brown said today. "We've never used comp time for that."

If Madigan followed his previous state policy of not using taxpayer dollars to finance political work, the time sheets should show that the employees in question took personal days, vacation time when they were checking voter registration records against the Nader petitions.

The fulltime employees were paid at least \$9.20 per hour, and others were salaried, according to the information obtained from the Comptroller's office. Assuming each worked the entire month, one would expect their paycheck to be less for the second half of the month than for the first half.

That was usually, but not always, the case according to the payroll information provided. Tom Foley, paid \$12.50 per hour, was paid \$975 for both the first and the second two weeks of June.

Joe Garcia, paid the same hourly rate, actually earned more for the second half of June than he did in its first two weeks: \$1,000 versus \$1056.25. Kristy Nice, paid \$9.20 per hour, earned \$515.20 the first two weeks and \$644 the later half of the month. Her base pay was listed as \$515.20.

Kevin McCarthy's paycheck, on the other hand, went from \$915.63 to \$793.95. He checked petitions three days, according to the Board of Elections sign-in sheets. At his \$12.50 hourly rate of pay, that seems to mean that he got paid for about 10 hours less work during the petition-checking time than during the first half of the month.

Christina Tobin said one sixteen-year-old was asked by a Nader volunteer why he was at the Board of Elections, working with the House staffers.

"Because I have to be here," Tobin reports the staffer said. ". . . I work for the Speaker of the House Mike Madigan. I have no choice but to be

I Would Prefer Not  
If There Is Hope  
IraqNow  
Islamicate  
Jews Sans Frontieres  
Jewschool  
Joe Hill Dispatch  
Juan Cole  
Ken Sain  
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Left Business Observer  
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Macro  
Occupation Watch  
Ohiocore  
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Pas au-delà

here."

A Downstate challenger in a state representative race said the same tactic was used to challenge his petitions last month.

Champaign County Socialist Worker Party candidate Tom Mackaman believes that Madigan employees Liz Brown and Brendan Hostetler worked on state time preparing the Democrats challenge to his petitions.

"Apparently, these two state employees, during normal working hours and at taxpayer expense, engaged in overtly partisan political activity in pursuance of the Democrats' objection to my petitions," Mackaman said today.

Brown was paid \$1,875 both the first and the last half of June. Hostetler got \$1,750 in each pay check. (The Leader-Chicago Bureau, "Nader Campaign Says Madigan Staffers Used to Challenge Petitions," *The Illinois Reader*, July 19, 2004)

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**Exhibit 49**

**Lynn Campbell, "Petition Challenger: I'm No Activist," *Des Moines Register* (Aug. 26, 2004).**

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Petition challenger: I'm no activist

By LYNN CAMPBELL REGISTER STAFF WRITER

August 26, 2004

The Des Moines woman who challenged Ralph Nader's petition to be on Iowa's ballot for president is a single mother who didn't like the way Democrat Al Gore lost the presidency to George W. Bush four years ago.

"Like a lot of Americans, I was really upset with the last election," said Lee Baldwin Jolliffe. "The person who won the popular vote didn't become president. But also, all the kinds of the tinkering that seems to have gone on in Florida - how many votes were thrown out, how messy we let the process get."

Jolliffe, 51, is a Drake University journalism professor and registered Democrat. She said she wasn't actively involved in politics until her students got her interested in the Iowa caucuses. She initially backed Howard Dean and Dick Gephardt for president, but ended up supporting John Kerry.

"The only time I was an active Democrat was January through April," she said. "I wore myself out and backed away for a while. As a mom with a kid home for the summer, I dropped out of any activities. The last thing I did was back in April."

When John Edwards, the Democratic nominee for vice president, visited a house on Cottage Grove Avenue on Aug. 15, Jolliffe walked down the street to shake his hand.

However, she said she hasn't been volunteering for the Kerry-Edwards campaign.

Jolliffe has a 13-year-old son and is in her 10th year of teaching at Drake University. She previously taught at the University of Missouri School of Journalism and managed the editorial department at the Battelle Memorial Institute.

She recruited some of her neighbors to help her sort through the 3,198 signatures on Nader's petition. Her effort was aided by attorneys Steven Wandro and Glenn Norris, two Democrats who are providing their services free.

"We believe strongly, like Lee, in the integrity of the process," said Wandro.

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**Exhibit 50**

**Iowa Secretary of State Opinion, page 3.**



Wandro and Glenn L. Norris. Attorney Sally Frank and campaign representative Theresa Amato, who participated via telephone, appeared on behalf of Mr. Nader.

The record consists of official documents judicially noticed, including the nominating petition of Ralph Nader and Peter Miguel Camejo, filed with the Secretary of State's office on August 12, 2004; the objection to the petition filed by Dr. Jolliffe on August 20, 2004; an August 20, 2004, letter from the Iowa Director of Elections, Sandra J. Steinbach, to Mr. Nader, Mr. Camejo, and the Iowa contact person for candidates providing notice and enclosing a copy of the objection; a memorandum issued by First Deputy Secretary of State Charles J. Krogmeier on August 23, 2004, providing notice of the hearing and the procedure to be followed; an e-mail message sent to the party representatives on August 24, 2004, by Mr. Krogmeier, notifying them of a change in the time and location of the hearing; a memorandum reviewing the objection and governing statutes, which was prepared by Assistant Attorney General Christie J. Scase and distributed to the panel members and representatives of the parties prior to the hearing; hearing testimony of Jane Hughes, Administrative Assistant to the State Director of Elections, and the Objector, Lee Baldwin Jolliffe; and Exhibits 1-10 as offered by the Objector during the hearing.

#### Findings of Fact

"Nominations for candidates for president and vice president, . . . may be made by nomination petitions signed by not less than one thousand five hundred eligible electors residing in not less than ten counties of the state." Iowa Code § 45.1(1) (2003). On August 12, 2004, a nominating petition was filed on behalf of Ralph Nader and Peter Miguel Camejo, as candidates for President and Vice President. The petition was in the form prescribed by the state

commissioner and consisted of 186 pages. Each page contained 20 lines, although some pages included blank lines or completed lines which had been stricken prior to filing. A cover letter, indicating that the petition included 3,198 signatures was included with the filing, as were affidavits of candidacy for Mr. Nader and Mr. Camejo, each signed before a notary public.

Upon presentation of the petition at the office of the state commissioner, Jane Hughes, the Administrative Assistant to the State Director of Elections, received the petition and spent approximately one and one half hours reviewing the petition. Ms. Hughes first determined that the petition contained signatures from residents of more than 10 Iowa counties and then counted the number of signers. She highlighted those lines which she believed were in any way questionable and noted the number of suspect lines in the lower right-hand corner of the page.<sup>2</sup> After counting completed lines on 114 pages of the petition, Ms. Hughes had reached a total of 1,951 signatures, 51 of which she questioned. At that point she officially accepted and file-stamped the petition.

The Objector obtained a photocopy of the petition, which she extensively reviewed. Her review included a check to determine whether the signers were included as registered voters on the Iowa Democratic Party's Voter Activation Network [VAN].<sup>3</sup> Hearing Exhibit 8 includes each page of the petition and a corresponding page annotating possible objections to the

---

<sup>2</sup> By way of example, Ms. Hughes noted that the city of Waterloo had been abbreviated as "W'loo" by several signers and it appeared that someone else had written in "ater" to complete the town name.

<sup>3</sup> Hearing Exhibit # 10 is a description of the VAN provided by counsel for the Objector. According to this description, the VAN is an online database of registered voters in Iowa which is compiled based upon records obtained from the Iowa Secretary of State's office. The version used by Ms. Jolliffe for her comparison was last updated on July 1, 2004.

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**Exhibit 51**

**Center for Responsive Politics Judy Reardon Salary Report.**

# Selected Expenditures, 2003-2004\*

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<i>Filer</i>	<i>Recipient</i>	<i>Date</i>	<i>Amount</i>	<i>Street1</i>	<i>Street2</i>	<i>City</i>	<i>State</i>	<i>Zip</i>	<i>Descrip</i>
<i>John Kerry for President</i>									
	Judy E Reardon	3/15/2003	\$2,676	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	3/31/2003	\$2,676	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	4/15/2003	\$2,676	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	4/30/2003	\$2,676	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	5/15/2003	\$2,676	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	5/30/2003	\$2,676	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	6/5/2003	\$36	768 Hanover St		Manchester	NH	03104	Printing
	Judy E Reardon	6/5/2003	\$9	768 Hanover St		Manchester	NH	03104	Travel Expenses
	Judy E Reardon	6/5/2003	\$7	768 Hanover St		Manchester	NH	03104	Postage
	Judy E Reardon	6/13/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	7/1/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	7/15/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	8/1/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	8/15/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	9/1/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	9/15/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	10/1/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	10/15/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	11/1/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	11/15/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	12/1/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	12/15/2003	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	1/2/2004	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	1/15/2004	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	2/1/2004	\$2,730	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	3/1/2004	\$1,907	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	3/15/2004	\$247	768 Hanover St		Manchester	NH	03104	Salary
	Judy E Reardon	7/30/2004	\$2,417	768 Hanover St		Manchester	NH	03104	Salary

Grand Total, 2003-2004\*

\$64,359

\*Based on data released electronically by the FEC on Sept. 13, 2004.  
9/20/2004 Center for Responsive Politics

Page 1 of 1

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**Exhibit 53**

**James Drew, "Blackwell Orders Removal of Nader from Ohio's Nov. 2 Ballot,"  
*Toledo Blade* (Sept. 29, 2004).**

Winner of Pulitzer Prize for Tiger Force

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Article published Wednesday, September 29, 2004

**ELECTION 2004**

### Blackwell orders removal of Nader from Ohio's Nov. 2 ballot

By **JAMES DREW**  
**BLADE COLUMBUS BUREAU CHIEF**

COLUMBUS - Ralph Nader, whom many Democrats blame for taking votes away from Al Gore in the 2000 presidential election, will be removed from the Nov. 2 ballot in Ohio, the state's chief elections officer ordered yesterday afternoon.



Nader

After a four-day hearing, Secretary of State Ken Blackwell concluded that several parts of the petition effort to get Mr. Nader on the ballot failed to comply with Ohio law, including how several paid and nonpaid petition circulators collected signatures.

Mr. Blackwell, a Republican, accepted the recommendations of Gretchen Quinn, an assistant elections counsel who said 2,758 of the Nader petition signatures should be ruled invalid because the person who signed the petition did not circulate it, the circulator was not an Ohio resident or elector, or several other irregularities occurred.

Zoom | Photo Reprints

When Mr. Blackwell agreed, that meant Mr. Nader had 3,708 valid signatures of registered voters. The requirement is for 5,000 signatures of registered voters to be on the ballot as an independent presidential candidate.

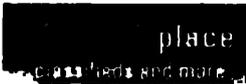
Mr. Blackwell's decision was triggered by a protest filed by attorneys hired by or

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  - New Car Guide
  - How-To Guide
  - Save & Save
  - New Car Dealer Guide
  - Bridal Guide
  - Marriage Guide
  - Golf Guide
  - Restaurant Guide
  - High School Guide
  - Arts/Events Calendar
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  - Movie Showtimes
  - Horoscopes
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allied with the Ohio Democratic Party to challenge petitions that Mr. Nader's campaign filed. It was part of a nationwide effort to prevent Mr. Nader from siphoning votes from Democratic presidential candidate John Kerry.

Mr. Nader has met requirements to be on ballots in 36 states, but he is involved in legal battles in several where he is already on the ballot or trying to get access.

**Photo**  
Blackwell

Although Mr. Nader was not a factor in the outcome in Ohio four years ago, yesterday's decision was a clear victory for Senator Kerry's campaign.

**Zoom | Photo Reprints** In 2000, George Bush carried Ohio with 50 percent of the vote. Mr. Gore trailed with 46.5 percent, and Mr. Nader received 2.5 percent.

"The ruling indicates that candidates cannot attempt to deceive state election officials in order to get on the ballot," said Denny White, chairman of the Ohio Democratic Party.

Julie Coyle, a Toledo resident who is state coordinator for Mr. Nader's campaign, could not be reached for comment.

A recent fund-raising letter that carries Mr. Nader's signature says: "Instead of joining with us in a two-pronged campaign to attack Bush, John Kerry, [Democratic National Committee Chairman] Terry McAuliffe, and the Democrats instead decided to launch a dirty tricks campaign to try to knock us off the ballot in Texas, Oregon, Florida, Nevada, New Mexico, Pennsylvania, Michigan, Ohio, West Virginia - all over the country."

Jake Hasselbach, who stepped down in late August as the University of Toledo campus coordinator for Mr. Nader's campaign, said last night that Mr. Blackwell made the wrong decision. Mr. Hasselbach said he left Mr. Nader's campaign to support Mr. Kerry.

"I still have respect for the democratic ideals that Blackwell obviously does not. We turned in 16,000 signatures and the way they set this up, it is rigged by the two major parties. They work in tandem to get third-party candidates off the ballot," Mr. Hasselbach said.

Carlo LoParo, a spokesman for the secretary of state's office, rejected the Nader campaign's argument that the Republican secretary of state had worked with the Democratic Party to narrow the voters' choices.

"The decision was based on the recommendations of the hearing examiner to the secretary of state and made in accordance with Ohio law," he said.

Ms. Quinn presided at the four-day hearing in which Democratic attorneys alleged "massive fraud," including forged signatures and "numerous irregularities" in how the signatures were collected.

Ms. Quinn yesterday also recommended that the secretary of state's office investigate the conduct of several people who circulated petitions who were hired by JSM Inc., a Tampa-based company that Mr. Nader's campaign hired to gather signatures in Ohio and several other states.

"The evidence does not support any claim that the misconduct is attributable to the Nader campaign, which nonetheless bears the unfortunate consequences of the improper conduct of certain individuals identified during the course of the hearing," she wrote.

On Aug. 18, Mr. Nader's campaign submitted petitions with 14,473 signatures.

Three weeks later, Mr. Blackwell certified the Nov. 2 ballot, after the secretary of state's office received word that county boards of elections had counted 6,464 valid signatures.

Attorneys challenging Mr. Nader's petitions said he had fewer than 3,500 valid

Buckeye  
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Hot

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signatures because of fraud and other irregularities. Yesterday, Mr. Blackwell agreed with their assessment.

Mr. Nader's name will be covered or lined out on paper ballots, or voters will be informed that a vote for him is not an option, Mr. LoParo said.

Mr. LoParo said most county boards of election did not have absentee ballots available yesterday. He said absentee ballots will be mailed out with a notice that a vote for Mr. Nader no longer is an option.

Contact James Draw at:  
 jdrew@theblade.com  
 or 614-221-0486.

 **OPINION**  
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**Exhibit 54**

**Clothilde Ewing, "Nader's Tough Road Ahead," *CBS News* (April 30, 2004).**

## POLITICS

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Meyer: Against the Grain

CBS News Polls

2004 Election Results

National Exit Poll

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## CAMPAIGN 2004

### Nader's Tough Road Ahead

WASHINGTON, April 30, 2004

WIRELESS ALERTS

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### BUSH REELECTED



#### ELECTION RESULTS

Election reporting and analysis from CBS News:

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- Why Bush Won
- Senate Races
- House Races
- Governors Races
- Problems at the Polls

Interactives:

- Campaign 2004
- Electoral Vote Map
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- Governors
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- Election Day Photos



Ralph Nader (AP)

#### QUOTE

Nader ... faces the daunting task of amassing enough signatures to qualify for the ballot in each state. So far, he hasn't qualified for any. In 1992, it cost Ross Perot over \$5 million to get on all 50 state ballots.

with him like conservatives, liberal Republicans," Nader told CBS News. But according to a new CBS News/New York Times poll, the numbers don't back his theory. If the presidential election were held today, 46 percent of voters say they would vote for Kerry and 44 percent would vote for Bush in a two-man race. But if Nader's name is added to the ballot, Bush takes the lead over Kerry, 43 percent to 41 percent; Nader would draw 5 percent of the vote, mostly at the expense of Kerry.

So far, Nader's campaign has raised more than \$600,000, which campaign spokesman Kevin Zeese points out is three times what they had raised at this point in 2000. They recently put in a request for matching funds, two months ahead of their schedule last cycle.

(CBS) By Clothilde Ewing, CBS News Political Unit

As the Green Party candidate in 2000, Ralph Nader was on the ballot in 43 states and Washington, D.C., and received 2.7 percent of the national vote. This year he is experiencing the wrath of Democrats and many Greens because of his decision to run again in 2004. Called everything from a spoiler to words not fit for print, Nader is undeterred and has vowed to continue his quest to get on the ballot in all 50 states.

Nader insists that his candidacy will help Kerry and not Bush as his detractors claim. "I think I'm going to be getting more votes from people who would have voted for George W. Bush, but are furious

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## INTERACTIVE



**Campaign 2004**  
Complete election recap – winners/losers, money, issues and more.

## INTERACTIVE



**Campaign Cash**  
Track fund-raising figures and learn about campaign finance laws.

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CBS' Kuhn: Democrats Groan, GOP Grins, As Nader Joins The Race

**Nader's In, To Some Chagrin**  
Consumer Advocate Running For President Again; Dem Leaders Chafe

**Nader To Run For President**  
Consumer Advocate Denounces 'Corporate Occupied' Capital

**Nader Won't Run On Green Ticket**  
But Says He Hasn't Ruled Out Running For President As Independent

But unlike 2000, Nader is running as an independent this time and faces the daunting task of amassing enough signatures to qualify for the ballot in each state. So far, he hasn't qualified for any. In 1992, it cost Ross Perot over \$5 million to get on all 50 state ballots.

Nader argues that one problem with the country's electoral system is that it is stacked against independent candidates and third parties. Armed with testimonials from supporters, the campaign also insists it is encountering barriers in its signature-gathering drive. In Texas, for example, the campaign says volunteer Scott Kohlneiss was issued a criminal trespass warning as he tried to gather signatures at the University of Texas at Austin. And volunteer Scott Crow says he is experiencing far more restrictive signature gathering rules in Dallas than in 2000, reporting that petitioners have even been blocked from entering festivals on public streets.

The Nader people also say that Libertarian petitioners claim they were told to leave post office property throughout the state as they attempted to circulate petitions. Mika Lavigne, communications director of the Texas Democratic Party, denies the party is behind the anti-Nader efforts. "I wish I could say we had this kind of pull, but it's not us," Lavigne says.

But other Democrats clearly hope Nader doesn't get on the ballot, particularly in the battleground states. According to Sarah Leonard, spokesperson for the Democratic organizations America Votes, ACT and the Media Fund, they are keeping an eye on Nader's efforts. "If we think it gets to the point where we need to step in and mobilize to make sure he doesn't get on the ballot, then we will," she says. Take, for example, Nader's effort to amass 1,000 signatures in one place in Oregon earlier this month, which would have won him a spot on the state ballot. ACT joined forces with other organizations in the state to discourage people from signing the petition and then called on Howard Dean to speak out against Nader as well. Nader wound up with only 741 signers, though he has vowed to try again.

The Arizona Democratic Party's communications director, Sarah Rosen, says they are not only monitoring Nader, but also encouraging people not to join his effort. Republicans outnumber Democrats in Arizona, 41 percent to 36 percent, and independents are at a premium. "We are not worried about him taking our Democrats. The question is what about the other 23 percent of independents," Rosen tells CBS News.

However, with the Green Party still without a national candidate, it is not outside the realm of possibilities that Nader could again represent them. This would be a huge boost to his campaign, as the Greens are already on 23 ballots, including the battleground states of Florida, Michigan, Minnesota, Nevada, New Mexico, Oregon and Wisconsin. But Green Party spokesman Scott McLarty says there is an ongoing debate within the party on whether they should try to compete in all 50 states or let the battleground states go if it looks like John Kerry can win. It's a debate McLarty expects to continue up until the Green convention on June 30.

Here's the task Nader has ahead of him. The deadline for Texas is May 10, only 11 days away:

### # Required Signatures/Deadline or fee

- Texas: 64,076, May 10
- New Jersey: 800, June 8
- Arizona: 14,894, June 9
- Illinois: 25,000, June 21
- Indiana: 29,552, June 30
- Colorado: \$500, July 5
- North Carolina: 100,532, July 6
- Nevada: 4,805, July 9
- Georgia: 37,153, July 13
- Florida: 93,024, July 15
- Michigan: 31,776, July 15
- Oklahoma: 37,027, July 15
- South Carolina: 10,000, July 15

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- **Missouri: 10,000, July 26**
- **Arkansas: 1,000, Aug 2**
- **Kansas: 5,000, Aug 2**
- **Maryland: est. 28,000, Aug 2**
- **Pennsylvania: 25,697, Aug 2**
- **West Virginia: 12,982, Aug 2**
- **Massachusetts: 10,000, Aug 3**
- **South Dakota: 3,348, Aug 3**
- **Alaska: 2,845, Aug 4**
- **Connecticut: 7,500, Aug 4**
- **California: 153,035, Aug 6**
- **Maine: 4,000, Aug 9**
- **Montana: 5,000, Aug 11**
- **New Hampshire: 3,000, Aug 11**
- **Iowa: 1,500, Aug 13**
- **D.C.: est 3,450, Aug 17**
- **New York: 15,000, Aug 17**
- **Ohio: 5,000, Aug 19**
- **Tennessee: 25, Aug 19**
- **Virginia: 10,000, Aug 20**
- **Wyoming: 3,644, Aug 23**
- **Nebraska: 2,500, Aug 24**
- **Oregon: 1,000/one meeting Aug 24**
- **Idaho: 5,017, Aug 25**
- **Washington: 1,000, Aug 24**
- **Alabama: 5,000, Aug 31**
- **Delaware: 5,182, Sep 1**
- **Hawaii: 7,711, Sep 3**
- **Mississippi: 1,000, Sep 3**
- **North Dakota: 4,000, Sep 3**
- **Rhode Island: 1,000 Sep 2**
- **Utah: 1,000, Sep 3**
- **Louisiana: \$4,500, Sep 7**
- **New Mexico: 14,527, Sep 7**
- **Minnesota: 2,000, Sep 14**
- **Kentucky: 5,000, Sep 7**
- **Wisconsin: 2,000, Sep 7**
- **Vermont: 1,000, Sep 17**

\* States in bold are states where the Nader campaign has state coordinators and where the campaign is in signature gathering mode.

\* States in italics are states Nader has campaigned in so far.

(It is important to note that ballot requirements differ by state. In addition to a varying number of signatures needed to qualify, states also open the process for different lengths of time.)

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**INSIDE POLITICS**



**Former Congressman Awaits Sentencing  
Cunningham Asks For Less Than 10-Year  
Maximum Jail Term**

- Key GOP Lawmaker Blasts Ports Deal
- Tight Security Greet Bush In Pakistan
- Tapes Show More Katrina Confusion
- More

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Air Force One Lands At Pakistani Airbase After  
Dark With Lights Off**

- Settlement Ends BlackBerry Patent Suit
- 'Cell Phone Bandit' Gets 12 Years
- Day Of Calm In Baghdad
- More

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**Exhibit 55**

**Chris Lydgate, "Raiders of the Lost Cause," *Willamette Week* (June 30, 2004).**



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Thursday, November 1st, 2007

# Raiders of the Lost Cause

## Nader's three-ring circus.

ISSUE #30.35 • NEWS • NEWS STORY

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THANK YOU RALPH  
IMAGE: CHRIS LYDGATE

BY CHRIS LYDGATE | CLYDGATE AT W WEEK DOT COM

[June 30th, 2004] Coffeehouse idealism collided with political reality Saturday when more than a thousand Ralph Nader supporters—genuine and otherwise—staged a second attempt to get their independent candidate on the Oregon ballot for the November presidential elections.

On foot, on bicycle, in Volvo and minivan, the Nader hordes converged on the Benson High School auditorium with a single objective: to get at least 1,000 voters together in a room at the same time for an "assembly of electors," and sign petitions to nominate Ralph for President.

But this exercise in Jeffersonian democracy devolved into a three-ring political circus as conservatives, eager to siphon votes from presumptive Democratic nominee John Kerry, decided to lend a helping hand.

Last week, two staunch Republican allies—the Oregon Family Council and Citizens for a Sound Economy—called on supporters to swell the ranks of the Naderites and help them achieve critical mass (something they failed to do in April, when fewer than 800 Oregon voters showed up).

On Friday, Nader, the former Green Party candidate, appeared on KXL radio to drum up support from listeners of the Lars Larson show—most of whom think the only good spotted owl is a stuffed spotted owl.

A day later, the scent of fresh bread from the nearby Franz Bakery combined with a whiff of the surreal as Naderites, clad in blue jeans, tie-dyes, ponytails and miniskirts, ran a gauntlet of demonstrators protesting Ralph's unholy alliance with the dark side.

"Help support corporate America tonight!" shouted a demonstrator decked out in black dress and furs, holding a sign that proclaimed "Billionaires for Bush." Two other protesters, one dressed as an oligarch, another wearing a Nader mask, lay together on a mattress beneath a sign reading "Nader + Big Business = Strange Bedfellows."

While most electors seemed like genuine Naderites, certain individuals stood out from the crowd—such as the snowy-haired gentleman sporting a tweed jacket, a white turtleneck and a pinstripe shirt.

"Do you think there are any Republicans here tonight?" I asked him.

"I suppose there are some," he shrugged, adjusting his bifocals. "I can tell you now, I'm not giving you my name."

October 31st, 2007



Cover Story: Portlanders not so bike-friendly could be. H

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October 31st, 2007



Distant Flair: Portlanders the 2008 Beijing Olympics a the U.S. to the Summer Games.

October 31st, 2007



Oregon and The Odds: Why do Oregon regulators pull to stop bets in D.C.?

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October 31st, 2007



PDX's Ball: Trying to m of what's n Timbers an Beavers.

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October 31st, 2007



Murmurs: "relevant."

6

October 31st, 2007



Rogue of it: City of Tigra random act stupidity.

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"Why are you here?" I asked.

"To sign a petition for Nader," came the coy reply.

"Who are you going to vote for?"

"I would NEVER vote for Kerry," he sputtered. "He's a liar, a cheat, he's from another planet! Bush is trying very hard...but everyone's against him...."

He trailed off, perhaps fearing that he had tipped his hand. "I may vote for Nader," he allowed. "I don't know. I want to see him on the ballot—just to make it interesting."

Bush supporters weren't the only ones with a few tricks up their sleeve, however. Surveying the scene from a strategic corner of the auditorium, Moses Ross, spokesman for the Multnomah County Democratic Party, claimed that 100 Democrats had infiltrated the assembly to fill seats—but would refuse to sign petitions.

This tactic struck at the heart of a Nader weakness—discipline.

Under state election law, the nomination could not take place until the assembly was called to order. At that point, no one else would be allowed to enter the room. The key for the Nader campaign was to call the assembly to order when the crowd was at its peak, to ensure at least 1,000 valid signatures.

Trouble is, it's hard to keep that many people in a room on a Saturday evening. They want to go to the bathroom. They want to step out for a smoke. They want to get to yoga class. Just keeping an accurate count of the people milling through the doors was a logistical nightmare.

Tension mounted as seats in the sweltering auditorium became harder to find. Finally, at 6:06 pm, elections officials reckoned there were at least 1,107 people present, and the Nader forces decided to strike.

"I now call for the nomination of Ralph Nader for president of the United States," declared presiding officer Mark McDougal, receiving a lusty, throaty roar in reply.

But the boisterous mood of the assembly quickly bogged down in the mechanics of Oregon elections statutes. "We have no ballots up here!" shouted one anxious voter in the gallery. McDougal issued a confusing series of instructions on the proper way to sign petitions as campaign workers scurried up and down the aisles.

Nader took the stage at 6:15. "This is what democracy looks like," he declared, to rapturous applause. But even as he lashed out at Democrats, he was interrupted—twice—by campaign workers imploring the crowd to turn in their petitions.

In the end, the campaign collected "more than 1,000" signatures, according to national field coordinator Jason Kafoury, who would not release an exact number. The signatures will now be verified, a process he said will probably take "several weeks."

**If Nader does make it onto the ballot, it will almost certainly be thanks to the embrace of the sort of folks he has spent his whole career fighting against. For a man renowned for putting principles above pragmatism, that's a strange place to be—but then again, that's politics.**

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**Exhibit 58**

**Kari Chisholm, *Blue Oregon Blog* (Aug. 18, 2004).**

## **Nader Ballot Fraud, Part 3 (EXCLUSIVE)**

### **Kari Chisholm**

There's been a lot of chatter out there about the fraud and forgery that's alleged to have been committed by some of the pro-Nader folks.

Rather than continue to speculate on what's happening out there, **BlueOregon has obtained scanned copies** of some of the petition sheets in question - as well as some of the legal correspondence between SEIU's attorney, the Nader campaign, and the Secretary of State. **See for yourself.**

The Nader campaign says that SEIU used "gangster tactics" in its investigation. Take a look at the letter below and decide for yourself.

**So why send the letters in the first place? We asked SEIU Local 49 chief Alice Dale, and here's what she said:**

"In an attempt to understand the full scope of the fraud problem, last Thursday we mailed letters to 59 circulators. Two were delivered in person. Also, paid signature gatherers often travel from state to state, following the campaigns that pay the most, and time was of the essence."

"Unfortunately, petition circulators are often unaware that falsifying signatures is a serious enough crime that they could be liable for heavy fines or even jail. To the extent that they are being encouraged to engage in these fraudulent activities, they deserve to know the risk that they are in."

"Additionally, it was our hope that one or two honest circulators would step forth and tell us if we were on the right track. So far, unfortunately, all we have received is a cease and desist letter from the Nader for President Campaign and a groundless harassment complaint against us. The Oregon secretary of State responded to the campaign clearly: our inquiries are not harassment. And it is our position that each of us as electors has responsibility to stand up against initiative fraud. In fact, it is only by citizen complaint that initiative fraud is investigated at all."

**Without further ado, here's the original documents...**

*Note: Feel free to distribute and publish, but please credit **BlueOregon.com** as your source. Thank you.*

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**Exhibit 59**

**William Gillis Blog Archive August 2004.**

**(Michael Moore Talks And I Don't Feel Compelled To Shoot Him)**

Go watch The Corporation.

Running through the 19th in Portland at Cinema 21.

Okay, so I'm endorsing a movie in which Chomsky is not only shown but allowed to make points. Shut-up. Just go dish out the seven bucks. I promise it'll be the best contribution to the free-market you could make.

Even The Economist couldn't find anything disagreeable in it. ...yeah, *and* Naomi Klein is hot.

[#] posted by William Gillis

**(The Willamette Week Discovers What Us Cool People Have Been Saying For Years)**

The Pearl District sucks.

[#] posted by William Gillis

**(Dirty Politics)**

Last night, on my way through downtown I was pestered by a particularly gaunt young man petitioning to get Nader on the Oregon Ballot. I smiled and moved to pass without commenting, but a man beside me asked the petitioner whom he was with.

"Oh, the Pacific Green Party," was his response.

"Wait," I said, lunging at him as all my sympathy dissolved, "Do you mean to say you're here *for* the Pacific Green Party?"

Cornered, his eyes flickered with annoyed defeat. "I'm working for Ralph Nader's presidential campaign."

"Yes," I said, "So what you meant to say was that you're here for an independent campaign even though your *personal* party has disowned him and backed another candidate."

He left us.

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Party politics suck, they're aggressively anti-democratic, and I feel that any government recognition of these political cults is simply inexcusable. That said, I want to make it clear that I have very little sympathy or respect left for Ralph Nader. I briefly met the man a few years back and while I was comforted by the sincerity I read in him, his campaigns seem to be trying as hard as they can to taint his legacy.

A few hours after last night's encounter, BlueOregon broke the news of an impending SEIU press conference set to accuse the Nader Campaign of using fraud to secure a place on the Oregon ballot.

This wasn't that big of a surprise to me. After all the offices I work in, at America Coming Together, are shared by the SEIU's election campaign and both organizations are rather heavily tied. (I'll ignore the controversial issues here of 527s and soft money.) For days now, most of the ACT staff had been aware of, if not complicit in, a scheme against the Nader Campaign.

People were pulled into side rooms and the higher echelons of both staffs exchanged a barrage of unusual whispered conversations. What's more, today, the day of the just announced press conference, was set up to be a massive single-day canvassing effort on the part of ACT, pooling the help of ex-canvassers and vacationers alike to make a massive one-day presence in the greater Portland area.

Which is fine and dandy. Had the SEIU been diligently checking the consciences of their fellows at the Nader campaign, this would be a different story. But in the last few days I've heard of a concerted effort among the ACT/SEIU staff to attack the Nader petition drive.

A few of my fellow canvassers who were likely to be in the vicinity of the Nader campaign told me they had been asked to "mistakenly" invalidate petition papers. Misspelling names or information was a classical attack, but the SEIU had figured a better method.

On every page of signatures in an Oregon petition there is a small section on the bottom for the signature gatherer to sign, asserting their valid oversight. If asked to sign the Nader petition, our canvassers were encouraged to accidentally sign their name in that section instead. Upon realizing their mistake, these innocent canvassers would scribble it out, thus invalidating an entire sheet of signatures.

Malicious attacks and counter-attacks like this are simply not acceptable; they sully the democratic process and spread mistrust. There is no place for them in Oregon.

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**Exhibit 60**  
**SEIU Press Releases.**

# Press Releases

Print 

**FOR IMMEDIATE RELEASE**  
April 07, 2004

**CONTACT**  
TJ Michels  
202 898-3321

## **NATION'S LARGEST HEALTH CARE UNION, SENATOR KERRY OUTLINE KEY ISSUES IN 2004 RACE**

### **With Health Care on Their Minds, SEIU Members Mobilized to Get Out the Working Family Vote**

WASHINGTON, DC -- As public concern over President Bush's handling of the economy and the health care crisis continues to rise, leaders of the Service Employees International Union met with presumptive Democratic nominee Senator John Kerry to discuss issues critical to working families in November and beyond.

SEIU Secretary-Treasurer Anna Burger characterized the meeting as "an important exchange of ideas on how to move America forward again," and more specifically, Sen. Kerry's plan to extend and protect quality, affordable health care coverage for all Americans.

"The public employees, janitors, nurses, and security officers who make up SEIU are mobilized and ready to elect a president who is prepared to make health care and jobs America's top priorities," said SEIU Secretary-Treasurer Anna Burger. "SEIU members will work day and night to send John Kerry to the White House because he is the candidate they trust to improve the lives of ordinary, working people."

Sen. Kerry valued the time he spent with SEIU President Andrew L. Stern, Burger and others as an opportunity to further an ongoing conversation about the bread-and-butter concerns of SEIU members and America's working families.

"This election is about moving America in a new direction and I am proud and honored to have SEIU by my side," said Sen. Kerry. "I promise when I am elected president, we will create new jobs, expand quality health care and improve the quality of life for working families across the country."

The early morning meeting at SEIU's 1313 L St. office followed a vote by SEIU's International Executive Board last month to endorse Senator Kerry. The 63-member board is made up of local leaders who represent SEIU's 1.6 million members.

###

*The 1.6 million-member SEIU is the largest and fastest growing union in the AFL-CIO, and the largest union of health care workers in North America. SEIU's ranks include janitors, security*

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*officers, and public employees, among others.*

###

**With 1.8 million members, SEIU is the fastest-growing union in North America. Focused on uniting workers in three sectors to improve their lives and the services they provide, SEIU is the largest health care union, including hospitals, nursing homes, and home care; the largest property services union, including building cleaning and security; and the second largest public employee union.**

Browse by Year

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# Press Releases

Print 

**FOR IMMEDIATE RELEASE**  
August 05, 2004

**CONTACT**  
TJ Michels  
202 898-3321

## **STATEMENT BY SEIU PRESIDENT ANDY STERN ON ELECTING SENATOR JOHN KERRY**

Let me be clear: there's nothing I want more than a John Kerry victory. He's spent a lifetime fighting for good jobs and strong families, and a Kerry victory is the biggest goal of our union right now. We will spend \$65 million and are sending over 2,004 workers to work full time in battleground states. We will continue to do whatever we can to make sure John Kerry is the next president of the United States. This is the largest non-party effort of any single organization in a national election ever. John Kerry is right on our issues and he's fought with us when we have needed him.

What I was saying yesterday is that when you accomplish a big goal like beating George Bush there can be a tendency to lose energy and unity and we cannot let that happen. We're at a time of extraordinary energy and unity and we have to make sure we hold on to that even after Senator Kerry beats Bush.

John Kerry's commitment to our union's signature issue – fixing healthcare in his first hundred days – makes it especially important that we keep up this fight even after November. Fixing the healthcare system in America is going to take the blood, sweat, and tears of all of us and we'll need the energy and unity we have now to do it.

George Bush has dug this country into such a terrible hole it is going to take the strongest labor movement and party possible to help John Kerry turn it around. When it comes to fixing America, we have to make sure we hold up our end of the deal even after Senator Kerry wins.

###

With 1.8 million members, SEIU is the fastest-growing union in North America. Focused on uniting workers in three sectors to improve their lives and the services they provide, SEIU is the largest health care union, including hospitals, nursing homes, and home care; the largest property services union, including building cleaning and security; and the second largest public employee union.

Browse by Year | 2008

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# Press Releases

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**FOR IMMEDIATE RELEASE**  
November 01, 2004

**CONTACT**  
TJ Michels  
202 898-3321

## **ANATOMY OF AN ELECTION STRATEGY: THE FACTS ON SEIU'S ROLE IN BRINGING HOME A VICTORY FOR AMERICA'S WORKING FAMILIES**

### **Nation's Fastest Growing Union Built Largest Mobilization by Any Single Organization in the History of American Politics**

The 1.7 million-member Service Employees International Union (SEIU) has played a critical role in shaping the outcome of the presidential election and several important races in three key ways:

1. applying organizing know-how to help set up the strategy and structure for a whole range of progressive coalitions.
2. providing an unprecedented level of people power, including more than 2,000 members working full-time for months in battleground states, along with more than 50,000 member volunteers.
3. making the largest investment by any single organization in the history of American politics – a total of \$65 million.

“What our members and allies have done will forever change the face of political organizing,” said SEIU President Andy Stern.

“This is just the beginning,” added SEIU Secretary-Treasurer Anna Burger, who oversees the union's political operation. “Our campaign will continue beyond election day to help John Kerry ensure that every American has access to quality, affordable health care.”

*A closer look at the know-how, people-power and money utilized in SEIU's Fight for the Future campaign (also see below for graphic breakdowns):*

- **Creating strategic grassroots organizations.** SEIU's leadership helped build bold new organizations to coordinate and fund sophisticated grassroots efforts. President Andy Stern and other SEIU leaders founded and/or serve on the boards of the largest and most progressive community-based voter mobilization groups like ACT, America Votes, Mi Familia Vota, American Families United, and the New American Opportunity Campaign.
- **The largest single contributor.** SEIU is the largest contributor to ACT at \$26 million (exceeding individual contributions by George Soros and Peter Lewis); the AFL-CIO's Labor

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2004 Program; and America Votes (\$900,000). SEIU tripled the amount spent in 2000 (\$65 million in 2004) to make significant donations as well as "in-kind contributions" – SEIU members and staff – to groups like Voting is Power, Mi Familia Vota, ACT and its Caribbean Power Vote, and America Votes, that together registered nearly 4.5 million new voters. SEIU gave \$1 million to the DNC and has made large donations to groups that share our goals, like Rock the Vote and the New Democratic Network.

- **Largest commitment of people power.** Accounting for a pre-GOTV total of more than 6 million voter contacts in the battlegrounds, SEIU recruited more than 2,750 members and staff willing to take a leave from their jobs to do full-time political work with organizations like ACT, allowing the union to reach beyond the labor movement for the first time to conduct real voter contact with a wider universe of workers. Roughly 40 percent of SEIU's full-time activists, or "Heroes" don't live in the battlegrounds, so they packed their bags – nearly 1,000 of them as early as April and July – and temporarily moved to 16 key states. SEIU rallied another 50,000 "weekend warriors" who are now ratcheting up their GOTV efforts for a grand total of 19 million phone calls and 10 million doors knocked across the country.
- **Independent TV and radio expenditures.** SEIU spent just over \$3 million on federal independent expenditure TV and radio ads, including \$1.4 million for three TV and six radio spots in Wisconsin on health care, and \$500,000 for three Spanish-language TV ads in Florida's three largest markets running since mid-October through Nov. 2. Several other significant radio and TV buys hit the airwaves in ME, MO, NC, and AR. In addition, SEIU put \$ 2.6 million into non-federal independent expenditures and initiative campaigns in CA, ME, AZ, FL, and NV and \$9 million in direct contributions to worker-friendly candidates, campaigns and organizations.
- **Worker communication and technology.** 500,000 SEIU members, many of them low-wage workers who earn less than \$30,000 a year, have voluntarily contributed an overall total of \$16 million towards the union's political action fund that helped pay for SEIU's nurses, janitors, security officers, public employees in battleground states to receive over 4 million pieces of direct mail, designed to share with union households John Kerry's vision for the country. Four purple mobile action centers traveled around the country to bring a unique communications technology to SEIU members, allowing them to complete millions of phone calls to voters across the country.
- **Early focus on health care.** The SEIU-led Americans for Health Care helped make health care a top campaign issue throughout the primary season with billboards and TV spots featuring Iowa and New Hampshire nurses calling on the candidates to offer comprehensive health care plans. The group has also identified over 300,000 "health care voters" – Americans who have signed pledges to hold politicians accountable on the issue at the polls.
- **Health care campaign continues.** SEIU members aren't waiting for the ballots to be counted to spearhead a national effort to make sure quality, affordable health care is the number one priority for the next Administration and Congress. On Election Night, SEIU will begin airing an issue-based ad on CNN. As well, thousands of SEIU members will begin to distribute 1 million stickers that read "Quality, Affordable Health Care: Job 1 in 2005."



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**Exhibit 62**  
**Roy Pulvers Bio.**

people

**Roy Pulvers**  
**Partner**

**Portland**  
**Phone: (503) 243-7929**  
**Fax: (503) 243-3240**

**PRACTICE FOCUS**

Roy Pulvers is an experienced appellate lawyer who also focuses on motions practice in litigation. He represents lawyers and law firms in a range of matters related to legal ethics and professional responsibility and liability.

Mr. Pulvers regularly handles appeals at the state and federal levels, as well as a range of civil litigation. He has been counsel on appeals that are among the largest personal injury, antitrust and class action cases in Oregon. His clients over the years have included Fortune 100 companies whom he has represented in a range of products liability actions.

Mr. Pulvers is highly experienced in constitutional law. He has represented the Democratic Party of Oregon since 2003 and represents numerous non-profits, campaign committees and candidates in his elections law practice.

In his professional responsibility and liability practice, he represents lawyers, law firms, mental health professionals, and insurance agents and brokers.

**PROFESSIONAL BACKGROUND**

Prior to joining Hinshaw & Culbertson LLP in April 2007, Mr. Pulvers was a partner and member of the management committee at the law firm of Lindsay, Hart, Neil & Weigler, LLP, where he had practiced since 1997.

From 1989 to 1997, Mr. Pulvers was the staff attorney to the Oregon Supreme Court, where he advised and represented the Chief Justice and the Court on matters including attorney and

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**EMPHASIS**

- [Appellate](#)
- [Legal Professional Responsibility & Ethics](#)
- [Litigation](#)
- [Professional Liability](#)

**EDUCATION**

Columbia Law School J.D.  
1983 Harlan Fiske Stone  
Scholar, 1981-1983

University of Michigan B.A.  
1980 with distinction; Honors  
College

**BAR ADMISSIONS**

1983, Oregon

**COURTS**

U.S. District Court, District of Oregon 1983  
U.S. Court of Appeals, Ninth Circuit 1983  
U.S. Court of Appeals, Tenth Circuit 1986

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judicial discipline, death penalty, proposed legislation and mandamus. His legal career also included serving as a law clerk to Hon. Jonathan U. Newman of the Oregon Court of Appeals, and as an honors attorney with the Appellate Division of the Oregon Department of Justice.

U.S. Court of Appeals, D  
of Columbia Circuit  
U.S. Supreme Court 2002

He holds the AVA<sup>®</sup> Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability.

Since 1996, Mr. Pulvers has served as a mediator through the Oregon Court of Appeals Appellate Settlement Conference Program.

Mr. Pulvers is actively involved in many professional, civic and political activities.

Among the professional activities, he is an invited fellow of the American Bar Foundation, the preeminent resource on the theory and functioning of law, legal institutions and the legal profession.

He served on the Executive Committee of the Oregon State Bar Constitutional Law Section from 2000 to 2005, and was Chair from 2001 to 2002. He was a member of the Oregon State Board of Bar Examiners, and served as a Hearing Panel Chair and Rules of Procedure Author from 1990 to 1993.

Mr. Pulvers was an adjunct faculty member with Northwestern School of Law, Lewis and Clark College from 1990 to 1999, where he designed and taught seminars in the law of appellate practice and state constitutional law. From 2000 to 2005, he taught the constitutional law class and team at Lincoln High School.

#### **PUBLICATIONS & PRESENTATIONS**

Mr. Pulvers has conducted many CLE presentations before a variety of organizations, including the American Bar Association National Conference on Professional Responsibility, Oregon State Bar, Oregon Law Institute, Oregon Appellate Court Judges Association, Federal Bar Association, Multnomah County Bar Association, Oregon Criminal Defense Lawyers Associations, and Portland law firms. The topics of these presentations have included protective orders, mandamus practice, legal ethics in class actions, appellate law, state constitutional law, government liability, and habeas corpus reform.

He has also written articles, conducted speeches and panel

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presentations, and appeared on television concerning drug testing in the workplace and the ballot initiative process. Á Á

His publications include:

- "Compendium of Relevant Case Law," co-author, *Appeal and Review* (Oregon State Bar CLE, 1994, with 1998 Supplement)
- *Separation of Powers Under the Oregon Constitution: A User's Guide*, author, 75 *Oregon Law Review* 443 (1996)
- *Revolution and Evolution: What is going on with statutory interpretation in the Oregon Courts?* co-author, *Oregon State Bar Bulletin* (January 1996)

Mr. Pulvers was a manuscript editor for *Taming the Storm: The Life and Times of Judge Frank M. Johnson Jr. and the South's Fight Over Civil Rights*, by Jack Bass (Doubleday, 1993), and research and editorial assistant for *Unlikely Heroes*, by Jack Bass (Simon & Schuster, 1981).

#### COMMUNITY SERVICE ACTIVITIES

Among Mr. Pulvers' civic and political activities:

- He is Founder and Co-Chair of the Oregon Democratic Lawyers Council;
- Member of the Advisory Committees and a Founding Lawyer-Director of Oregon Progressive Fund and Oregon Progressive Alliance;
- Founding member of the Steering Committee of Oregon Lawyers for a Sustainable Future and Board Member of *Lawyers for a Sustainable Future*;
- Treasurer for the Committee to Re-Elect Judge Rick Haselton to the Oregon Court of Appeals;
- Former volunteer attorney and member of the Lawyers Committee of the Oregon ACLU, whose Board of Directors he was elected to in May 1989.

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**Exhibit 63**

**Press Release: PA Stays Blue Despite Repeated Bush Visits.**



**FOR IMMEDIATE RELEASE**

**CONTACT: Rep. Bill DeWeese 717-979-9864**

**PA stays Blue despite repeated Bush visits  
DeWeese/Veon weigh Nader factor**

**HARRISBURG, Nov. 5 –** House Democratic legislative leaders Bill DeWeese and Mike Veon said John Kerry's win in Pennsylvania was bolstered by their efforts to have Ralph Nader removed from the ballot in the Keystone State.

DeWeese and Veon said a quick look at Tuesday's results shows their efforts regarding Nader mattered in Pennsylvania's final tally. In the 2000 election, Nader received 103,000 votes in the state, while in 2004 Kerry won by 130,000.

"As in 2000, the venerable consumer crusader Ralph Nader thought he would play the spoiler again in the Presidential election. However, this year we could not sit idly by as G.O.P. partisans attempted to defraud the voting public by creating a fraudulent third-party campaign for Mr. Nader. And in the end, our efforts to strike his name from the ballot proved successful for John Kerry in Pennsylvania," DeWeese said.

In August, DeWeese and Veon helped to organize a corps of volunteers across the state to review the petitions Nader's campaign submitted. Careful inspection revealed that about two out of three signatures on the nominating petitions were incomplete, invalid or outright forged. Some of the help for Nader's last-minute effort came from Republican operatives who only wanted to take votes away from Kerry in a key battleground.

"It is ironic that for years Ralph Nader was the voice of the average working man; always sticking up for the rights of individuals and demanding that greedy corporations play by the rules. Yet, when it came to filing his own petitions for the highest office in the land, he decided that the rules should not apply to him," Veon said. "We are thankful that the courts affirmed that basic principle that the rules do matter."

"While it seems that Ohio has become the Florida of 2000, our hard work regarding Ralph Nader as well as promoting the core issues of Senator Kerry's candidacy, helped to prevent the Commonwealth from moving from a blue state to a red Bush state. And all of this despite 44 visits from George W. Bush," DeWeese said.

Veon concluded: "Pennsylvanians went into the voting booth and recognized that John Kerry stood up for tax fairness, not just tax breaks for the wealthy. He wanted affordable health care for everyone, not just for the highest bidders. Unfortunately, the Bush-Cheney campaign of fear and demagoguery manipulated other parts of the country into believing their spin."

People interested in receiving more news from the House Democratic leader should sign up for e-mail alerts, which are available through his political Web site, [www.billdeweese.com](http://www.billdeweese.com).

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**Exhibit 64**

**Rebecca Bellville, Brian Hickey and Tasha Kates, "Darth Nader," *Philadelphia City Paper* (June 17-24, 2004).**

Rebecca Bellville, "Darth Nader," *Philadelphia CityPaper* (June 17-24, 2004)

If you're not for John Kerry, you're against him. So says Don Morabito, executive director of the Pennsylvania Democratic Party, who doesn't want people voting for Ralph Nader *again* this November.

Naderites continue to scour Pennsylvania for the 25,697 signatures that would put the consumer advocate and 2000 Green Party candidate on the ballot. They say Morabito's argument is flat-out bunk.

"Kerry is really stealing votes from Nader as far as I'm concerned," says Susie Abulhawa of Nader's campaign in Philadelphia.

While Nader's supporters are confident about getting the independent on the ballot — oddly, Republicans and Democrats need just 2,000 signatures to get on the primary ballot— statewide Nader coordinator Sasha Azar won't divulge how many names they already have. "I don't give out numbers to the press," he says. "We don't want people reading into numbers. But we're doing relatively well."

A May 27 poll by Quinnipiac University in Connecticut showed 6 percent of Pennsylvanians supporting him. In 2000, when he arguably cost Al Gore the White House, Nader got 2 percent of the vote. Still, state House Minority Leader Bill DeWeese wants Nader off the ballot so much that he has a petition on his Web site to persuade him to stay out of the race. It had 363 signatures as of Tuesday morning. While Azar calls the petition "undemocratic," local Kerry spokesman Mark Nevins predicts Pennsylvania will go Democratic this year, even though it is a highly contested state despite whether Nader is on its ballots. Morabito agrees.

But, he says, "we want to make sure" Nader doesn't detract votes. He noted that the state party wants voters to "understand that a vote for Nader is a vote against Kerry."

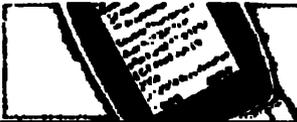
While Morabito calls himself "a big fan" of Nader the consumer advocate, he says the candidate just doesn't know when to quit. "Who am I to say that they shouldn't vote for Nader if they believe in his platform and his ideas and everything else?" Morabito says. "If you're a practical politician, as I am, you don't want anyone to vote for Nader."

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**Exhibit 65**

**Tom Barnes, "Petitions Submitted to Put Nader on PA. Presidential Ballot,"  
*Pittsburgh Post-Gazette* (Aug. 3, 2004).**



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# Election News

## Petitions submitted to put Nader on Pa. presidential ballot

Tuesday, August 03, 2004

By Tom Barnes, Post-Gazette Harrisburg Bureau

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HARRISBURG -- At 4:50 p.m. yesterday, two young volunteers for Ralph Nader's presidential campaign ran into the state elections department lugging several boxes of petitions with about 50,000 signatures aimed at getting Nader on the Pennsylvania presidential ballot in November.

Justin McVay, Nader's Western Pennsylvania coordinator, and Dan Martino, his counterpart for Eastern Pennsylvania, had driven from opposite ends of the state to make it to Harrisburg, just barely beating the 5 p.m. deadline for filing their candidate's petitions.

"That was a workout," said an out-of-breath McVay, 22, who graduated in May from Penn State-Behrend in Erie. Then he quipped, "This is what a political science degree gets you."

Nader needs 25,697 valid signatures of registered voters in Pennsylvania to qualify for the presidential ballot on Nov. 2, running against President Bush and Democratic candidate Sen. John Kerry.

McVay didn't know exactly how many signatures he and Martino turned in but estimated it at 50,000. State officials will spend the next week verifying the signatures to see if Nader has what he needs.

Each person must have printed and signed his or her name legibly, listed a correct address and the date the petition was signed.

State Democrats yesterday vowed to challenge Nader's petitions and will seek to keep him off the November ballot, fearing Nader will siphon anti-Bush voters away from Kerry.

"Working with the AFL-CIO, we will do everything humanly possible to

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fight this supreme egotist, who has lost his way," state House Democratic leader H. William DeWeese of Waynesburg said of Nader.

DeWeese said that when he was in college in the 1960s and Nader was just starting out in politics, "he was in my pantheon of political gods, but he has subsequently plummeted into the abyss. We will use all the resources we can command to contravene any illegitimate signatures on those petitions."

DeWeese charged that Republicans "from coast to coast are out to help Mr. Nader. You don't need a Ph.D. in mathematics to understand that 100 percent of the vote he gets will be skimmed from Sen. Kerry's total."

DeWeese said Nader's entry onto the Pennsylvania ballot will be "a sad day for progressive people. This former knight in shining armor has fallen into a decrepit and selfish state of affairs."

McVay rebutted the claim that Nader is just a spoiler out to hurt Kerry and help Bush.

"If anybody is taking votes from anybody, it's Kerry taking anti-war votes from Nader," McVay said. "Kerry has pawned himself off as an anti-war candidate, when he voted for the war [in Iraq]. That shows he's no more anti-war than Bush is. Nader is the only true anti-war candidate."

McVay said he's confident that Nader's petitions will withstand any challenges and Nader will have enough signatures to be on the ballot in Pennsylvania.

William J. Green, a Pittsburgh-based political consultant, said he thinks Nader's presence in the race would hurt Kerry. Green said he considers Nader to be "more progressive and liberal than the Kerry/John Edwards ticket is."

People who don't like President Bush and who feel "frustrated by the political system" are likely to split their votes between Kerry and Nader, Green said. If Nader were out of the race, such disaffected voters would all vote for Kerry or stay home.

Josh Wilson, political director for the Republican State Committee, said the GOP is making no effort to help Nader and predicted Bush will beat Kerry in Pennsylvania whether Nader is on the ballot or not.

"We are devoting our resources to promoting the president's agenda," not to helping Nader get petition signatures, Wilson said. "The Republican Party is not trying to place Ralph Nader on the ballot."

Wilson did, however, acknowledge that polls have indicated things are better for Bush with Nader in the race. "People who vote for Nader may

be looking for an alternative [to Bush] but don't want to vote for Kerry," he said. "That underscores the very soft support Kerry has among Democrats and maybe some independents."

*(Harrisburg Bureau Chief Tom Barnes can be reached at [tbarnes@post-gazette.com](mailto:tbarnes@post-gazette.com) or 717-787-4254.)*

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**Exhibit 66**

**Melissa Nann Burke, "Foiling the Spoiler," *The Legal Intelligencer* (Nov. 2, 2004);  
Carlyn Kolker, "Anti-Nader raiders: a massive pro bono effort works to block a  
third-party ballot spot in the Keystone State," *American Lawyer* (Oct. 1, 2004).**

**Foiling the Spoiler**

**Source: The Legal Intelligencer**

**Publication Date: 11/02/2004**

**Byline: Melissa Nann Burke, Of the Legal Staff**

This fall, Ralph Nader, the independent candidate for president, wanted access to state election ballots Nov. 2.

To do so in Pennsylvania, he had to beat a pinstripe-clad team. No, it wasn't the New York Yankees, but a group of determined lawyers.

They were mostly Democrats and mostly from Reed Smith. Those involved on both sides of the case said that without the attorneys and technology the law firm invested in challenging Nader's nominating petitions, the independent - widely credited, or blamed, for throwing the 2000 election to President Bush - would today be able to threaten a repeat performance in the contest between the president and Sen. John Kerry, D-Mass.

The Reed Smith lawyers were the workhorses behind a massive statewide challenge to 35,000 of 51,200 signatures filed by the Nader campaign in Pennsylvania.

The lawyers' victory was clinched Oct. 23 when the U.S. Supreme Court refused to stay the court order striking Nader's name from the general election ballot in Pennsylvania.

"We had the resources to do a statewide review" [of the signatures], said Daniel I. Booker, a Democrat and former managing partner of the firm who headed the Reed Smith effort from Pittsburgh.

Election law specialists said Reed Smith's intense involvement on such a scale might have changed the rules of the game for future ballot fights in Pennsylvania - a state where the technical requirements for ballot access are very precise and well settled in election case law.

"The lesson here is that there are mechanisms available to people and to the courts to enforce the law," said Booker, who is active in the Democratic Party politics in western Pennsylvania.

"The firms in the business of collecting these signatures thought it was too hard for anyone to enforce the requirements, so they would get twice as many [signatures as required], figuring they'd sail through."

Gregory Harvey, one of the most recognized Democratic election lawyers in Pennsylvania, was one of the non-Reed Smith attorneys representing the "objectors."

The most important legacy of the case, said Harvey, is that Nader and minor party

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candidates "will think twice" about whether they can get away with petition cheating.

The court said, "In reviewing signatures, it became apparent that in addition to signing names such as 'Mickey Mouse,' 'Fred Flintstone,' 'John Kerry' and the ubiquitous 'Ralph Nader,' there were thousands of names that were created at random and then randomly assigned either existent or nonexistent addresses by the circulators."

#### 'Nader Factor'

This season, the Democratic Party waged a war in the courts - especially in battleground states like Illinois and Ohio - seeking to minimize the so-called "Nader factor."

Many Democrats blamed Nader's presence on the Florida and New Hampshire ballots for spoiling the election for Al Gore in 2000. In those two states, Nader's vote exceeded Bush's margin of victory. Were Nader not an option there, many pollsters speculated, many Nader supporters would have chosen the Democrat over Bush.

The battle over the Pennsylvania ballot this year was particularly intense, said Nathaniel Persily, an election law professor at the University of Pennsylvania who helped Sen. John McCain, R-Ariz., stay on the New York ballot during the 2000 Republican primary campaign.

"The litigation is not usually this vociferous," he said. "The Pennsylvania proceedings were unlike anything I had ever seen."

This year, in what's predicted to be a similarly close election, Nader had been polling at 3-percent support among likely Pennsylvania voters, according to the Keystone Poll conducted at Franklin & Marshall College in Lancaster.

Pennsylvania officials have said writing in Nader's name - as his campaign is urging - will count as a vote for him.

Nader representatives said the case's outcome proves how the system disfavors independent or third party candidates and how Democrats will spend anything to keep Nader off the ballot.

Reed Smith threw the most weight behind the anti-Nader effort out of all the firms the campaign encountered countrywide in its ballot access war, said Kevin Zeese, Nader's spokesman.

The so-called "objectors" - registered voters named in the case caption - received logistical support from the state House Democratic committee in organizing volunteers. Booker said his friend, state Rep. H. William DeWeese, D-Greene, Democratic leader in the state House of Representatives, knew of the project and thought it a valuable one.

But Reed Smith and other "objector" attorneys said neither the Democratic Party nor

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anyone else paid them. While they didn't take leaves of absence from their firms, the lawyers didn't bill any client for the thousands of hours they spent together working on the case.

#### **Outnumbered**

Throughout the Pennsylvania lawsuit, Nader's campaign decried the state's ballot access laws as unconstitutionally onerous and the court's method of trying the case as lacking due process of law.

The court took the unusual step of distributing hearing responsibilities among a dozen judges in courtrooms across the state, at times asking attorneys and campaign representatives to be on call for 12-hour-plus days and on weekends.

The campaign insisted they needed more time to prepare and find lawyers to staff the courtrooms. Campaign finance laws limited it from accepting no more than \$2,000 in in-kind contributions, or free legal help, per firm, Zeese noted.

"It's like fighting with one hand behind your back," he said.

The campaign eventually gathered a small team - some attorneys with ties to the Republican Party, several from out of state, and many of whom could afford to help for only days at a time before returning to work.

J. Matthew Wolfe staffed one of the Philadelphia courtrooms for the campaign. An attorney and Republican ward leader, Wolfe said he lent his time to Nader "because I think it helps the president."

Asked about being outnumbered, he said, "I hope this is upsetting some of their Republican clients."

Reed Smith, historically viewed as a Republican-leaning firm, hasn't received complaints from clients about the case.

#### **No 'Firm Position'**

Gregory Jordan, Reed Smith's managing partner and a registered Democrat, said the firm has not taken a "firm position" on the presidential election, noting that some partners and clients support Kerry while others support Bush.

Representing the objectors was an autonomous decision made by the pro bono committee, Jordan explained.

"Once we looked at it, we were satisfied it was a worthwhile thing for our people to do," he said. "I don't think it was a political process at all."

Fifteen to 25 Reed Smith attorneys were involved over the course of the litigation.

Booker said, "When things aren't adverse to our clients' interests, and our people feel strongly about it, the firm is supportive of letting people pursue it."

Ira Lefton, the Reed Smith partner in charge of pro bono, said the case was a "good government" project the firm took on "regardless of its partisan impact."

Even knowing how many resources went into the case, Lefton said the firm might accept a similar project again under the right circumstances.

"If we saw the same degree of fraud, forgery and impropriety, we might do it - irrespective of the ways it might affect the ultimate race itself," he said.

The firm has proved it can do it.

After two and a half weeks of hearings, the Commonwealth Court concluded Nader was 6,879 voter signatures short of the number required for ballot access.

The case came down to individual fact determinations made by judges during the hearings, in which election officials and handwriting experts testified, and lawyers for both sides examined each challenged signature.

The objectors tracked the individual signature challenges with a computer database program designed by a young Reed Smith summer associate and his friends. They convinced judges to invalidate - line by line - duplicate signatures, as well as those of unregistered voters, voters without addresses matching their voter-registered address, and those who didn't complete the entire line of information on the petition (date, city, state, etc.) in one hand.

More than 100 volunteers helped the Reed Smith attorneys and paralegals in Pittsburgh, as well as attorneys Harvey and Brian A. Gordon in Philadelphia, compiled the legal "objection" in one week.

"It's very seldom that a lawyer has a chance to make a difference in national events," Booker said.

The document, accompanied by a six-volume exhibit book listing the signature challenges, was simultaneously driven and flown from Pittsburgh to Harrisburg and filed with the Commonwealth Court Aug. 9.

"It really was overwhelming," said Samuel C. Stretton, a sole practitioner and experienced election law attorney in West Chester. Stretton represented Nader until Sept. 23 when he and the campaign had a disagreement over strategy and pay.

"This case is a symptom of something that was totally unexpected in election law," said

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Stretton, former solicitor for the Chester County Democrats. "If this is a forerunner, from now on we're going to see big firm spending this kind of money to set up this challenge."

That doesn't bode well for the often cash-strapped campaigns of minor-party and independent candidates for office, he said. They don't have weeks and weeks at a time to spend court, and they don't have the funds to pay for one attorney, Stretton said.

"It's kind of worrisome," said Stretton, who estimated he spent up to \$50,000 of time on the case before withdrawing. "It's becoming too lawyer-oriented, and it's becoming too hard to get on the ballot."

Part of the problem, Stretton said, was the system set up by the court - holding simultaneous hearings in different counties instead of one courtroom.

Stretton said, "For the little guys like me, who know a lot about election law, it's going to preclude us from getting involved."

If the little guys do participate, it might help to team with a firm, as did Harvey and Gordon.

A litigator at Montgomery McCracken Walker & Rhoads, Harvey is hardly a "little guy," but he worked on the case independent of his firm's pro bono program, paying himself for more than \$3,400 in expenses incurred.

Gordon, a sole practitioner, could barely afford to stay involved as long as he did.

"I lost a lot of time," he said.

Booker didn't seem to feel sympathy for Nader's team being outnumbered: "If you're running for president, you need to be ready."

As for today's election, it remains to be seen if what the Pennsylvania objectors did make a difference.

G. Terry Madonna, director of the public policy center at Franklin & Marshall, speculated that the net gain for Kerry might be 1 percentage point with Nader off the ballot.

"In the end, half of [Nader's] voters wouldn't vote for Kerry," Madonna said, noting that nobody really knows for sure how people vote. "These were not people who were happy with either candidate."

Nader and his vice presidential running mate, Peter Miguel Camejo, are on the ballot in 34 states and the District of Columbia.

**Anti-Nader raiders: a massive pro bono effort works to block a third-party ballot spot in the Keystone State.(Ralph Nader)(Pennsylvania)**

**Source: American Lawyer**

**Publication Date: 10/01/2004**

**Author: Kolker, Carlyn**

**ELECTION LAWYERING is rarely a full-time practice, but it's more than a quadrennial affair. And this cycle's worth of advocacy is proving to be as heated as the presidential elections themselves.**

In Pennsylvania, the effort has centered on third-party candidate Ralph Nader. A team of more than a dozen attorneys—including members of Pittsburgh's Reed Smith, Philadelphia's Montgomery, McCracken, Walker & Rhoads, and solo practitioner Brian Gordon, also of Philadelphia—spent the month of August finessing arguments that Nader does not belong on the ballot in their home state. The pro bono mission capitalized on some lawyers' pro-John Kerry fervor, which translated into deep anti-Nader spirit, on the assumption that his candidacy would siphon off votes from the Democrat.

After oral arguments before the Commonwealth Court of Pennsylvania in August, the court ruled for the anti-Naderites. (At press time the Supreme Court of Pennsylvania had not yet ruled on an appeal.)

The lawyers argued that Nader's different party affiliations around the country—he's running on the Reform Party ticket or as an independent candidate, depending on the state—should keep him off the ballot in Pennsylvania, according to state law. In addition, they claimed that many of the signatures that the candidate had collected for his ballot petition were invalid and that some were out-and-out forgeries.

Gregory Harvey, a partner at Montgomery, McCracken and a veteran election law specialist in Philadelphia, says he first began looking at ways to bounce Nader from Pennsylvania over the summer. (The state, which Al Gore won narrowly in 2000, promises to be a close call in the presidential election.) After reading accounts of possible petition forgeries in The Philadelphia Inquirer, he convinced his firm he could present a challenge in court.

Harvey began organizing nonlawyer volunteers to review Philadelphia-area signatures that the Nader campaign had collected. He received special clearance from Montgomery, McCracken's management committee to take unpaid time for the project, which consumed a full month. "The understanding is that I am doing it as a volunteer," he says. "I am not using associates or other personnel of the firm." He is also covering expenses, including copying costs and pizza for nonlawyer volunteers: "I am now about \$2,700 down, out of my own pocket."

Over at Reed Smith, the project was billed as charity, although keeping Nader out of the election isn't quite feeding the poor or representing a death row inmate. Daniel Booker,

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an antitrust partner and former firm chair who is spearheading the anti-Nader effort, says the firm's pro bono committee determined the project would not damage client relations. "Our pro bono program does not forbid things that will have a political effect," says Booker. He insists the project was part of a "good government" effort.

On the other side, Samuel Stretton, a solo practitioner based in West Chester, Pennsylvania, who is representing the Nader campaign, says he sees his work as "an access to ballot" issue. While he is remunerated for his efforts, he describes the fee arrangement as "quasi pro bono."

Just as Harvey's team reviewed Philadelphia signatures, about a dozen Reed Smith attorneys, including seven partners, spent 1,300 nonbillable hours reviewing signatures throughout the state, overseeing 50 volunteers who reviewed Nader's petitions, and preparing the brief challenging Nader's submission to the ballot. In addition, the firm devised a giant database that compared names on the petition to voter rolls, as well as to names that appeared multiple times in the petitions. In just six days, the volunteers, holed up in Reed Smith conference rooms, reviewed the signatures manually, and then shot them through the database. The objection to Nader's petition, which included 4,500 pages of exhibits, was filed jointly by the Philadelphia and Pittsburgh teams.

And that's just the preelection challenge.

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**Exhibit 67**

**Tom Barnes, "Nader Petitions Challenged to Keep Him off Pennsylvania Ballot,"  
*Pittsburgh Gazette* (Aug. 10, 2004).**

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## Election News

### Nader petitions challenged to keep him off Pennsylvania ballot

#### Democrats say thousands of names signed to put third party candidate on ballot not valid of 20

Tuesday, August 10, 2004

By Tom Barnes, Post-Gazette Harrisburg Bureau

**HARRISBURG --** A group of voters from Pittsburgh and Philadelphia filed a lawsuit here yesterday challenging the petition signatures of third-party candidate Ralph Nader in an effort to kick him off the Nov. 2 presidential ballot in Pennsylvania.

Among their claims against the Nader petitions is that some signatures are forgeries and at least two people who supposedly signed the petitions are deceased.

Gregory M. Harvey, a Philadelphia attorney who specializes in election law and helped oversee a Democrat-ordered review of the petitions, said there were an "enormous number" of false signatures -- including one sheet of 100 names on which 92 could not be verified.

The Western Pennsylvania plaintiffs are being represented by attorney Efreem Grail of the Reed Smith law firm in Downtown Pittsburgh. Grail traveled to Harrisburg yesterday to file a two-foot-high



Carolyn Kester, Associated Press Attorney Efreem M. Grail, second from left, and law student Jason Lichtman, left, talk with Commonwealth Court employee Ronald Darlington yesterday in Harrisburg as Grail and Lichtman filed a challenge of petitions gathered to put independent presidential candidate Ralph Nader on the ballot. Click photo for larger image.

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stack of petition challenges and photocopies of evidence in Commonwealth Court.

A hearing date has not been set.

Some Democrats fear Nader will take votes away from their candidate, John Kerry. In the 2000 election, some Democrats claimed Nader siphoned off thousands of votes from candidate Al Gore, essentially helping to elect Republican George Bush.

The Pittsburgh area plaintiffs are Linda S. Serody, of Squirrel Hill; Roderick J. Sweets, of North Huntington; Ronald Bergman, of Greensburg; Richard Trinclisti and Terry Trinclisti, both of Apollo; Bernie Cohen-Scott, of Pittsburgh; and Donald G. Brown, of Highland Park.

The Philadelphia plaintiff is Julia A. O'Connell, who is represented by Harvey. Harvey, who is working with Grail, said Nader's petitions were the worst he'd seen in 15 years.

Among the complaints about Nader's petitions, according to the suit, are "forged signatures, missing addresses, unreadable names or addresses, incomplete information, missing dates of signatures and signers not being a registered voter."

The suit also claims the Nader petitions show "a wide-ranging and extensive pattern of false and forged entries, entries obtained through [the] deception of signers and whole pages of outright forged signatures."

Kevin Zeese, a Nader campaign spokesman in Washington, D.C., said, "We looked at the signatures before submitting them, and we removed what we thought were forgeries. We have submitted valid signatures. We'll let the court decide."

Zeese said the Nader campaign submitted about 45,000 signatures and is confident of the validity of at least 25,697 -- the number needed to put Nader on the ballot.

However, Democrats from the state House of Representatives said they think there are at most only 10,000 valid signatures on the petitions. The review of the petitions were ordered by Democratic leaders of the House

Rep. H. William DeWeese, D-Waynesburg, said yesterday the Democrats have only one goal in mind -- to help Democrat Kerry defeat President Bush.

"We are being completely open about our intentions," said DeWeese. "Our goal is to help elect John Kerry the next president of the United States."

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Most political observers have opined that Nader's presence on the ballot can only hurt Kerry – and help Republican Bush – by siphoning off liberal, progressive or Democratic voters who would vote for Kerry if Nader isn't on the ballot.

Grail said he is working for no fee in helping the plaintiffs challenge Nader's petitions. Other volunteers have combed Nader's petitions over the past few days, Grail said, including some provided by state Democratic officials.

He said no one is being paid for the laborious work of scrutinizing the Nader petitions, but state Democratic officials did advance about \$3,600 for copying fees.

*(The Associated Press contributed to this report. Harrisburg Bureau Chief Tom Barnes can be reached at [tbarnes@post-gazette.com](mailto:tbarnes@post-gazette.com) or 1-717-787-4254.)*

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**Exhibit 68**

**Dennis Roddy and Tracie Mauriello, "E-mails show how Dems tied staffers' bonuses to campaign work," *Pittsburgh Post-Gazette* (Dec. 16, 2007).**

**E-mails show how Dems tied staffers' bonuses to campaign work  
Sunday, December 16, 2007**

**By Dennis B. Roddy and Tracie Mauriello, Pittsburgh Post-Gazette**

**HARRISBURG – E-mail messages exchanged by top aides in the Democratic caucus starting in 2004 make clear that taxpayer-funded bonuses were given to legislative employees for their work on election campaigns.**

**The messages, obtained by the Post-Gazette, are a key component in an investigation by Attorney General Tom Corbett into the bonuses and whether they constituted an illegal use of state money for political work.**

**In startlingly blunt language, a group of aides, at points working under the direction of then-House Minority Whip Michael Veon, D-Beaver, rated the political work of state employees, sometimes adjusting the amounts of the bonuses based on time they spent in the field or, in one instance, in getting presidential candidate Ralph Nader off the Pennsylvania ballot.**

**"Mainly, I based my decisions on the number of days people spent in the field," wrote Eric Webb, director of Democratic member services, in one of the e-mails, "but a few people were bumped up for extra efforts, like being a phone bank captain," or "helping with the Spanish phone bank."**

**The system that produced the pay bonus scandal now roiling the state Capitol took shape at least three years ago when a cadre of top House aides began tracking campaign hours put in by Democratic caucus employees and then tied them to taxpayer-funded salary bonuses.**

**The records obtained by the Post-Gazette show that in 2004 managers working inside the Democratic caucus based year-end payroll bonuses on time spent working political campaigns. A year later, the same group employed a spreadsheet that logged political work performed by the employees and used that data in deciding pay bonus amounts.**

**A trio of spreadsheets attached to an Aug. 31, 2005 e-mail by Mr. Webb, who kept track of volunteer hours, ranked caucus employees as "rock stars," "good," and "OK" and assigned bonuses according to the rankings. In another e-mail, dated Nov. 22, 2004, a House aide advised Mr. Veon that a list of year-end bonuses was based on "performance during session" and "Outside activities" which included election work that encompassed, "specials, general, Nader effort."**

**The "Nader effort" is an apparent reference to a Democratic project to challenge the ballot petitions of the independent presidential candidate, who they feared would peel away votes from Democratic nominee Sen. John F. Kerry. Mr. Nader's ballots were later thrown out as a result of the petition challenge and the state Supreme Court later ordered Mr. Nader to pay the Democratic party's legal costs.**

**The e-mail messages also show apparent widespread use of the Democratic caucus employees, offices and computer systems for political work.**

**DeWeese investigation**

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Most of the e-mails and spreadsheets were first uncovered by House Majority Leader H. William DeWeese, of Waynesburg, who had delegated much of the day-to-day operation of the caucus to Mr. Veon. Mr. DeWeese, after accumulating information from state computers, provided thousands of e-mail exchanges, which are now at the core of the state attorney general's case.

None of the materials obtained by the Post-Gazette suggests that Mr. DeWeese was aware of the scheme. Mr. Veon did not respond to a message seeking comment.

After initially being told by staff that the bonuses were routine seniority and holiday awards, Mr. DeWeese said he discovered that the bonuses amounted to \$1.9 million. He then ordered an internal inquiry, calling in William Chadwick, a former prosecutor, in March, prior to the announcement of a criminal probe by the attorney general.

Mr. Chadwick's in-house probe resulted in the accumulation of tens of thousands of e-mails that had been automatically archived but which most employees thought had been deleted long ago.

In all, 31,000 archived e-mails thought to have been deleted were later recovered.

The inquiry also found that virtually every e-mail regarding pay bonuses sent on the caucus computer system in 2006 had been erased, as had all record of Mr. Veon's e-mails. What investigators later uncovered were e-mails from 2004 and 2005 that included an outline of the scheme that suggested it had been ongoing for several years.

The Post-Gazette obtained copies of some 2006 e-mails -- most of them sent by Stephen Keefer, director of the Democratic House Information Technologies department which oversaw the computer system used by caucus members. They reflect the level of political activity apparently taking place inside the Capitol offices, a place where partisan campaigning is legally forbidden.

They begin with a Feb. 27 dispatch to information technologies employees pressing them to work for Mr. Veon's primary campaign. In subsequent e-mails, Mr. Keefer speaks of "locking myself in the office today" to focus on Veon duties, and one week before the primaries assures colleagues who can't reach him, "sorry folks, only one more week." Mr. Veon's political committee, in fact, sent blast e-mails into the caucus accounts pressing for volunteers to come forward and work on his campaign.

The deletion of the 2006 e-mails and attempted destruction of documents in the Democratic Office of Legislative Research are among matters under investigation by the attorney general.

While the e-mails focus entirely on what appears to be a Democratic caucus practice of using state funds to pay volunteers for political work, Mr. Corbett's office is also investigating complaints of similar activities in the Republican caucus.

On Nov. 13 Mr. DeWeese forced out seven top House Democratic aides, including his chief of staff, Michael Manzo. He acted after receiving information from Mr. Chadwick, the Washington attorney and security consultant he had hired months earlier.

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Mr. Manzo has denied any wrongdoing in the bonus arrangement. Both he and Scott Brubaker, the director of staffing and administration for the Democratic caucus, appeared for a 90-minute meeting in February with Mr. Corbett and several deputy attorneys general to explain how the bonuses were awarded. Both men later gave statements to the FBI, as well, according to a source inside the caucus.

Both Mr. Manzo and Mr. Brubaker have insisted that the bonuses were based on performance. Mr. Manzo last month also said the bonuses began as an effort to reward Mr. Veon's employees, who they expected to be out of work after their boss lost his bid for re-election in 2006.

"They've got e-mails from years ago. I'm not entirely sure what's in any of them," said Mr. Manzo, who said he was made aware of the e-mails on the day he and six other caucus members (including Mr. Brubaker) were forced out by Mr. DeWeese. He declined other comments.

Pittsburgh attorney Robert J. Ridge, who represents Mr. Brubaker, said his client had no comment. Mr. Webb did not respond to a card left at his house requesting that he contact the Post-Gazette, and his attorney, Matthew V. Haverstick of Philadelphia, did not return a phone call Friday.

Some caucus employees, drawn from a variety of departments, including the "floater" pool of employees assigned on a day-by-day basis to assist House members, have told investigators they were recruited to work various House campaigns.

State employees -- some of whom later testified before the statewide investigating grand jury -- say they were pressed into volunteering to help in various campaigns, including Mr. Veon's. In some instances, they said, word circulated among volunteers that they would be compensated for their work. The source of that money was never explained, and some believed checks were likely to come from the House Democratic Campaign Committee.

Several of the volunteers said they were instructed to forward a record of the hours they worked on campaigns to Mr. Webb.

Those volunteers said they later were surprised by the size and source of the bonuses.

#### Tracking volunteer hours

One volunteer who did not get the word to forward his campaign hours to Mr. Webb's office said he never received a bonus.

A search of caucus e-mail accounts later yielded a copy of a spreadsheet program that tracked volunteer hours.

An e-mail Mr. Webb wrote to Mr. Manzo in August of 2005 suggests that Mr. Webb made the initial determination about payroll bonuses that year.

In an attached spreadsheet, Mr. Webb lists various employees and their accomplishments. The "rock stars" include more than a dozen House aides, including Mr. Manzo's wife,

Rachel, Mr. Veon's top aide, Brett Cott, and Mr. Webb himself. Notations in column G, contain such comments as "went off payroll for 7 days," "helped with oppo research," "team captain, spent a month volunteering," "phone bank leader," and "volunteer coordinator."

The next day, Mr. Manzo forwarded the rankings to Mr. Brubaker in staffing and administration.

"We're thinking about 1K [\$1,000] for the rock stars, 500 for the good, 250 for the OK. Thoughts?" Mr. Manzo writes.

"OK with me," Mr. Brubaker replied 13 minutes later. "The amounts aren't excessive, but they reinforce the point."

Mr. Brubaker suggests a category of "super rock stars -- eg. Those who spent more than two weeks in the field, particularly if they were burning their leave."

A bonus list for 2005 in fact shows the "rock star" category members receiving, in addition to standard seniority and Christmas bonuses, \$1,000 each. A year earlier, Mr. Manzo forwarded to Mr. Veon, then the minority whip, a list of staff members to be given bonuses.

It was that e-mail, dated Nov. 22, 2004, in which Mr. Manzo advised Mr. Veon that the bonuses were based on both legislative performance and "outside activities" that included elections and the Nader effort.

"Let me know what you think. Would like to have it processed this week so our superstars can enjoy a brighter X Mas," Mr. Manzo wrote.

Eight minutes later, Mr. Veon replied.

"List looks good," the reply reads. "Want to add some of my DO [district office] staff. They did lots and lots extra nights and weekends on Nader project and all went to Butler many times last month ... ."

"Butler" was an apparent reference to a three-way race for an open House seat in which Mr. Veon's staff was involved in helping the Democratic nominee.

Mr. Manzo forwarded the list to Mr. Brubaker.

"We are gonna make some hard workers very pleased," he wrote.

The next day, Mr. Brubaker forwarded the bonus list to Earl J. Mosley, director of personnel for the House Democratic caucus. What followed was an awkward exchange in which Mr. Mosley, after being advised to process the bonuses "as soon as humanly possible," asked whether he was getting a bonus as well.

"Scott, any love coming this way for Joe and I?" Mr. Mosley replied, referring to himself and a staff aide in his office.

"I'll ask. Not my decision," Mr. Brubaker replied. "How many days did you guys do?"

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After assuring Mr. Brubaker that he was not begrudging anyone else a bonus, Mr. Mosley referred to his own political work.

"Joe and I went to Montgomery County for four days (would have been 5 but went to the hospital). Lori did two days. We also went to Bloomsburg and did the phone bank for Bloomsburg as well as secured signatures for candidates. Trust me, I'm not upset because in my mind I thought that if I had gotten anything it might have been about \$250."

After another exchange, Mr. Mosely suggests, "perhaps I just need to do more for the caucus."

Mr. Brubaker had something of the same opinion about his own political work, telling Mr. Manzo at one point that he thought one staff member, Jonathan L. Price, a policy analyst, deserved more money in his year-end bonus.

"26 days in the field along with oppo plus the \$\$\$. He's a star compared to me," Mr. Brubaker said, suggesting his own bonus was excessive.

"Good point on Price," Mr. Manzo replied. "Add another grand. You're staying put though!!!!"

"Will do. On both," Mr. Brubaker responded. "Thanks so much. Very generous."

"Enjoy," Mr. Manzo responded. "Get yourself that new truck!!!"

Dennis B. Roddy can be reached at 412-263-1965 or [droddy@post-gazette.com](mailto:droddy@post-gazette.com). Tracie Mauriello can be reached at 717-787-2141 or [tmauriello@post-gazette.com](mailto:tmauriello@post-gazette.com).  
First published on December 16, 2007 at 12:00 am

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**Exhibit 69**

**Drew Hansen Bio.**

May 20, 2008

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DREW D. HANSEN is a partner at Susman Godfrey who has tried cases for plaintiffs and defendants in state and federal courts across the country. His trials include:

- *Alfonso C. Peña v. GBS Financial Corp., et al.* (NASD 2007): Rep for the family of Alfonso C. Peña, a Los Angeles-based entertainment entrepreneur, in a lawsuit against his former investment advisors. In two-week arbitration, the panel awarded Peña damages for the management fees on his investment account.
- *Jacobs v. National Drug Intelligence Center* (S.D. Tex. 2007): Rep for former Laredo National Bank president Gary G. Jacobs in a Privacy Act lawsuit against the NDIC. After a bench trial, the NDIC settled attorney fee claim for an amount believed to be one of the largest attorney fees in a Privacy Act case of this nature. Hansen is handling the NDIC's Fifth Circuit appeal.
- *BASF Corporation v. Lyondell Chemical Co.* (N.J. Super. Ct. 2007): Represented Lyondell Chemical Company (now LyondellBasell) in a two-month breach of contract trial where the jury found in favor of BASF. The judgment is now on appeal.

Hansen has also won major victories for clients in pretrial proceedings. In the case of the collapse of Enron, the company's court-appointed management hired Susman Godfrey to recover from the financial institutions who aided and abetted the company's insiders in hiding the company's true financial condition. Hansen was in charge of the litigation.

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prosecuting the estate's claims against the Canadian International Commerce (CIBC), one of Canada's largest banks. After Hansen questioned first few CIBC witnesses at deposition, CIBC witnesses started pleading Amendment. CIBC eventually paid \$250 million to settle the estate's claim was collected for the benefit of the estate's creditors, including the approx 20,000 former Enron employees who lost money in their pension funds as the company collapsed.

Hansen has also:

- Represented a class of Bristol Bay salmon fishermen in a federal antitrust trial in Anchorage, Alaska against seafood process importers. The settlements before and after a jury verdict in the defendant's favor totaled over \$40 million.
- Defended a multi-million dollar misappropriation of trade secrets behalf of REI, Inc. Hansen won dismissal of the plaintiff's motion claim under Washington's version of the RICO statute, and the case near the end of discovery.
- Represented plaintiffs in nineteen separate state-law antitrust class actions against Visa and MasterCard alleging illegal tying arrangements on debit cards.
- Represented Brent Redstone in a shareholder oppression action where he sought to dissolve the \$8 billion family company controlled by his son Sumner Redstone.

Hansen encourages you to contact his current and former clients or opposing counsel for recommendations.

## REFERENCES

Mark Carlton  
LyondellBasell Industries  
(281) 363-2347

Larry Krantz (opposing counsel, *Enron v. Citigroup, et al.*)  
(212) 681-0009

Dr. Devon G. Peña  
(206) 543-1507

Hansen's legal skills have won him recognition: The Washington State Bar Association awarded Hansen a *pro bono* commendation in 2004, and *Washington Law and Politics* named Hansen a "Rising Star" each year he practiced law as an associate at Susman Godfrey.

Hansen's busy trial practice does not stop him from finding time to be active in the community.

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Bar and the wider community. He is a founding member of the Puget Sound Chapter of the American Constitution Society, and he represented the Washington State Democratic Party in a *pro bono* lawsuit against Ralph Nader because of what it alleged was Nader's illegal effort to qualify for the 2004 Presidential election in Washington state. In 2005, Governor Christine Gregoire appointed Hansen to the Washington Community Economic Revitalization Board (CERB), which distributed over \$19 million to local governments to help attract and create businesses in Washington state since Hansen joined the board. Hansen is deeply committed to educational issues: He is currently on the board of the Olympic College Foundation, and he has been on the steering committee of the Bainbridge Island School District levy since 2004.

Hansen maintains an active writing and lecturing career as a sideline to his law practice. He is the author of a book, *The Dream: Martin Luther King's Speech That Inspired A Nation* (Ecco/HarperCollins, 2003), which Representative John Lewis called "a great contribution to the historical movement." Pulitzer Prize-winner David Garrow called Hansen's work "the best book in more than a decade on the movement's best-known leader." The *Denver Post* called Hansen's book "essential reading for anyone who wants to understand one of the great speeches in American history." Hansen has given speeches and guest lectures across the country, ranging from a reading to kindergartners in Houston to a nationally televised reading at the Los Angeles Public Library. He has appeared on ABC's *World News Tonight*, *Early Show*, *CSPAN's Book TV*, *CNN*, and on NPR and dozens of radio stations in the United States and around the world. Hansen's Op-Eds have appeared in *USA TODAY*, the *Seattle Post-Intelligencer*, and the *Houston Chronicle*. His essay on Martin Luther King, Jr.'s theological education will appear in the forthcoming *Cambridge Companion to Martin Luther King, Jr.* (Cambridge University Press, 2009).

Hansen began practicing at Susman Godfrey after serving as a law clerk to Honorable Pierre N. Leval, United States Court of Appeals for the Second Circuit. He graduated from Yale Law School and from Harvard University, *summa cum laude*. Before law school, Hansen studied theology at Oxford University, where he was a Rhodes Scholar. He lives on Bainbridge Island, Washington.

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**Exhibit 70**

**DIAnne Grieser Online Petition Signature.**



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NEWS

	Name	Comments
201	Gary Hilderstand	Kerry is a tough democrat who the republicans fear. He doesn't fit their "weakness" mold. Remember how scared Bush looked during their debates? JK is the MAN!!!
202	jule blattenbauer	
203	Albert Keleman	Conservatives for Kerry 2008. We need fiscal responsibility in the oval office.
204	Jeff Royle	
205	Trip Jones	America needs John Kerry... and now John Kerry needs us! Kerry 2008!
206	J West	KERRY! KERRY! KERRY! I'm saving all my Kerry gear for '08!
207	Hal Klingler	
208	Gordon Johnson Sr	
209	Peter Berghoff	KERRY WILL WIN IN 08...He has my vote!
210	Cecil Grover	I still got your back and I still got your stickers on my truck. You will be our president in 2008.
211	Tyrone Savole	Veteran for Kerry 2008 reporting for duty!
212	Barbara Burthardt	John Kerry will defeat the GOP spin machine in 2008!
213	George Selvaggio	At supportkerry08.com I got a blue wristband pledging my support for Kerry fo 2008!!!
214	Frank Millovich	I know that in 2008 Kerry will be victorious and our country will be rady for REAL leadership.
215	Tommy Loganis	We need a president who'll be serious about homeland security, NOT cut fire and police programs. Cops for Kerry 2008 will be there!
216	DIAnne Grieser	early adopter fan since my teens Kerry Freedom Fighter went to Boston DNC as blogger love John Kerry miss John Kerry met THK 8x true believe

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<http://www.democracypollproject.net> "crew" and <http://www.johnkerry.com>  
moderator of Blog, 2003-2004

NO SURRENDER

- 217 Jim Bootz The groundwork's been laid. We have legions of new activists and campaigners who know what we're going to have to do next time and will be ready for it. There's no reason to start over with a different candidate when we already have the best one available. Kerry's not a quitter and neither am I. Let's do it!
- 218 Brian Hunter
- 219 Kitty Walker Love John Kerry
- 220 Michael Patton John Kerry will be one of the best presidents of the United States. He has my vote for 08 and 12!
- 221 roselyn parrucci
- 222 Chrs Cellaco I'm a volunteer in Democracy for America. I am pushing for you in 08. Many are ready to do battle for JFK in 2008. We're anxious to campaign for you.
- 223 Willie Townsley My son is in the Louisiana National Guard and deployed in Iraq. He says the troops hate Bush and Rummy. They want Kerry to run again. We NEED him more than ever.
- 224 Joseph Johnson We NEED a competent foreign policy in the oval office Americans need John Kerry to run again in 2008.
- 225 Patricia Angell John Kerry is the right man to lead America at home and abroad.
- 226 Joshua Birkenhauer I supported John Kerry in his first fight in 2004, and I will back him in 2008. He has a plan for American. He came within 60,000 votes in Ohio from becoming the next president. In 2008 he will not be facing a wartime president. John Kerry is truly the real deal.
- 227 Sang L Jackson John Kerry will be a President and Commander in Chief who'll NOT mislead us into war, He'll have a VP who'll NOT have secret meetings with polluters to rewrite our environmental laws, John Kerry will have a Secretary of Defense who'll LISTEN to his military leaders and he'll appoint an Attorney General who WILL UPHOLD the constitution of the United States!!! John Kerry will be a great president and we the people NEED him more than ever!!
- 228 Mike Brady John Kerry will restore trust and credibility to the White House and we will fight hard to make it happen in 2008!! Nevada for Kerry!!
- 229 Rich Maginnis I will campaign hard for Kerry in 2008. We will turn Arkansas blue in 2008!
- 230 Vivian O'Neil Let's do it! The groundwork is being laid right now. We will fight hard and we're ready. Kerry's grit and smarts will propel him to the white house in 08.
- 231 Patrick Dillon Kerry is the man! I can't wait to get after it for him in 2008. We'll turn Mizzou blue!
- 232 Veronica Tomas STOP THE CHEATERS!  
We had major irregularities in Florida 2000 and Ohio 2004. Learn more at this very comprehensive website:  
[http://en.wikipedia.org/wiki/2004\\_U.S.\\_Election\\_controversies\\_and\\_irregularities](http://en.wikipedia.org/wiki/2004_U.S._Election_controversies_and_irregularities)  
John Kerry is the best.. a President for the people. Go Kerry!
- 233 Simone Palme I am 17 so I was not able to vote for Kerry in 2004, but in 2008 I WILL be able to vote, and I will proudly vote for Kerry.
- 234 Patricia Vasperini This site is fantastic. Keep up the good work. I also found a site that has started a new Support Kerry 08 movement, They have Support Kerry 08 wristbands and bumper stickers for just \$1.00. It's awesome. <http://www.supportkerry08.com>
- 235 Nicole Jarver I will support Kerry in 08!
- 236 Charles Dawson Kerry in 2008? Yea, why not? What the hell I'll sign. John Kerry, a decorated hero, was unfairly attacked by the Swift Boat Vets and draft-dodging right-wing zealots so he should run again.

MAKE  
A DONATION

10044270537

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**Exhibit 71**

**Randy Poplock John Kerry Meetup Message Board Posts.**

## John Kerry Meetups worldwide

74 Meetup Groups worldwide 98,555 Kerry Supporters (76,320 who are waiting) United John Kerry Meetup Day: Fourth Thursday

# Announcement from Randy Poplock, United Progressives for Victory

Start a new discussion

Worldwide John Kerry Meetup Message Board > Announcement from Randy Poplock, United Progressives for Victory

Track this discussion Add a reply

Jeff Gringer

Posted Sep 27, 2004 at 12:07 AM [Link to this discussion](#)

[Quote in reply](#)

JeffGringer  
Seattle,  
WA

FYI, Randy Poplock has the following volunteer opportunities, which I am passing on.

Best,  
Jeff Gringer

=====

"As much as I respect and love brother Ralph and supported him very vigorously and enthusiastically in 2000, I will pray for him this time and vote for Kerry only because I think Bush is that dangerous." -Cornel West, author/professor

Dear Kerry supporters,

Wanted you to know, One Voice for Change has evolved into the WA chapter of United Progressives for Victory. UP for Victory is comprised of "progressives united and concerned that Ralph Nader's effort to place his name on ballots throughout the country will not only undo his legacy, but also help re-elect George Bush." We are operating in 14 battleground states nationwide, including Washington.

UP for Victory has three volunteer opportunities coming up THIS WEEK. If interested, please reply, indicating which event you'd like to help with:

1) Voter Registration (part of national "Youth Action Week")

Wednesday, 9/29/04

UW, Red Square

10am-3pm (Indicate available time)

2) Norman Solomon, Daniel Ellsberg, Medea Benjamin

"What's at Stake this Election" tour

Friday, 10/1/04

1415 NE 43rd Street (University Temple United Methodist Church)

6pm (event starts at 7pm)

3) David Cobb and Green Party State Candidates

4554 12th Ave. NE (Univ. Baptist Church)

Sunday, 10/3/04

5:30pm (event starts 6:30pm)

UP for Victory would love to have your help in these outreach efforts!

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**Nader news:**

A group of 70 prominent "Nader 2000 Committee" members recently signed a petition urging all voters in swing states to vote for Kerry. Signers include Noam Chomsky, Ben Cohen, Paul Hawken, Jim Hightower, Cornel West. Full list at [www.vote2stopbush.com](http://www.vote2stopbush.com)

**Nader Factor websites:**

[www.upforvictory.com](http://www.upforvictory.com)  
[www.greensforkerry.com](http://www.greensforkerry.com)  
[www.theunitycampaign.org](http://www.theunitycampaign.org)  
[www.thenaderfactor.com](http://www.thenaderfactor.com)

-----  
Randy Poplock  
United Progressives for Victory  
[rpoplock@msn.com](mailto:rpoplock@msn.com)  
(206) 313-4603  
[www.upforvictory.com](http://www.upforvictory.com)

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[Worldwide John Kerry Meetup Message Board](#) » [Announcement from Randy Poplock, United Progressives for Victory](#)

10044270540

Track this discussion [Add a reply](#)

Jeff  
Gringer

Posted Oct 3, 2004 at 1:40 PM [Link to this discussion](#)

[Quote in reply](#)

JeffGringer  
Seattle,  
WA

Dear Kerry Supporters,  
I would like to pass on some information from Randy Poplock on upcoming opportunities. If you are interested, please contact Randy Poplock to coordinate, at [rpoplock@msn.com](mailto:rpoplock@msn.com), or (206) 313-4603.

Forward together to victory,  
Jeff Gringer  
Seattle Meetup Organizer

=====

Dear United Progressives for Victory,

1) Thanks to all who helped at Wednesday's UW voter registration drive. We registered 73 young voters!

2) Big news: Ralph Nader will be speaking in Seattle on Sunday, Oct. 10th, 1:00pm (Seattle Center). UP for Victory is seeking as many volunteers as possible for this event. If you can't attend, but want to help, we need newspaper letter writers, too. If you can help, let me know and I'll be in touch with specifics.

3) UP For Victory has finalized a media letter urging potential Nader voters in WA to consider the stakes, and to vote for Kerry. We are currently seeking Greens, activists, musicians, progressive leaders to sign the letter (just secured one prominent WA liberal politician). If you know anyone who might want to sign this letter, please let me know asap!

4) This Sunday, I will attend the David Cobb (Green Party candidate) speech, seeking names for our letter. I could use a hand, if you're available (Sunday, 10/3, 5:30pm, 4554 12th Ave. NE). Let me know.

Thank you!  
RP

-----  
Randy Poplock  
United Progressives for Victory  
[rpoplock@msn.com](mailto:rpoplock@msn.com)  
(206) 313-4603  
[www.upforvictory.com](http://www.upforvictory.com)

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Worldwide John Kerry Meetup Message Board > [United Progressives for Victory activities](#)

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## John Kerry Meetups worldwide

74 Meetup Groups worldwide 98,555 Kerry Supporters (76,320 who are waiting) United John Kerry Meetup Day: Fourth Thursday

## More activities by United Progressives for Victory [Start a new](#)

discussion

Worldwide John Kerry Meetup Message Board » More activities by United Progressives for Victory

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Jeff Gringer

Posted Oct 8, 2004 at 9:36 AM [Link to this discussion](#)

[Quote in reply](#)

Jeff Gringer  
Seattle,  
WA

Passing on Randy's latest mailing. Please contact him if you are interested at [rpoplock@msn.com](mailto:rpoplock@msn.com).

Go Kerry,  
Jeff

=====

Dear Kerry supporters,

United Progressives for Victory is seeking additional volunteers to show our support for Kerry at this Sunday's Nader appearance in Seattle (thanks to those who've replied so far).

Plenty of tasks available, including:

- 1) Making props for our public performance. Easy arts-&-crafts, involving cardboard and markers. This would be a HUGE help if you're inclined.
- 2) Distributing literature, holding signs at the event (Sunday 12-1:30pm).
- 3) Writing letters to editors (some ASAP, plus some Sunday). I can help w/language, contacts, etc.

The above will be accompanied by a press release of a WA letter signed by a prominent WA politician and other WA progressive leaders.

Please let me know if interested in any of the above. Thanks!

Sincerely,  
Randy Poplock

-----  
Randy Poplock  
United Progressives for Victory  
[rpoplock@msn.com](mailto:rpoplock@msn.com)  
(206) 313-4603  
[www.upforvictory.com](http://www.upforvictory.com)

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Worldwide John Kerry Meetup Message Board » More activities by United Progressives for Victory

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## John Kerry Meetups worldwide

74 Meetup Groups worldwide 98,555 Kerry Supporters (76,320 who are waiting) United John Kerry Meetup  
Day: Fourth Thursday

## Additional UP for Victory activities [Start a new discussion](#)

Worldwide John Kerry Meetup Message Board > Additional UP for Victory activities

Track this discussion [Add a reply](#)

Jeff  
Gringer

Posted Oct 13, 2004 at 9:12 AM [Link to this discussion](#)

[Quote in reply](#)

JeffGringer  
Seattle,  
WA

Following from Randy. Please contact him directly if you are interested at  
[rpoplock@msn.com](mailto:rpoplock@msn.com), or (206) 313-4603

=====  
Dear Seattle Kerry supporters,

Thanks to all who volunteered on Sunday to promote Kerry at Ralph Nader's  
Seattle appearance. Your effort was a huge success! We distributed ~400  
flyers, held widely-viewed signs, and had our point of view reported in the  
Seattle Times, Seattle PI, UW Daily and KIRO TV (w/close-ups of some  
volunteers)! Check out our Bush impersonator:  
[http://seattletimes.nwsources.com/html/localnews/2002059452\\_nader11m.html](http://seattletimes.nwsources.com/html/localnews/2002059452_nader11m.html)

Nader's VP running mate, Peter Camejo, will be in Seattle this Friday, and  
we're hoping to do "more of the same": hold signs, hand out literature, etc.  
If you can help, please reply to this email. This volunteer event will take  
one hour...

Date: Friday, October 15  
Time: 6-7pm (event begins at 7pm)  
Where: Seattle Central Comm. College, Room BE 1110, 1701 Broadway

It's important that the Nader campaign know we're serious about the risks  
his candidacy poses. Rallying for Kerry outside these events is one tangible  
way to do that.

Please let me know if you can help.  
Sincerely,  
Randy Poplock

-----  
Randy Poplock  
United Progressives for Victory  
[rpoplock@msn.com](mailto:rpoplock@msn.com)  
(206) 313-4603  
[www.upforvictory.com](http://www.upforvictory.com)

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Worldwide John Kerry Meetup Message Board > Additional UP for Victory activities

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**Exhibit 72**

**Letter From Jason Huber to West Virginia Mountain Party.**

## **Comments on Nader from Jason Huber**

**April 30, 2004**

### **JUST SAY NO TO NADER IN 2004**

**I am writing to recommend that the Mountain Party refrain from nominating Ralph Nader to 2004 ballot for the presidential election.**

**I, like many other people who have taken this position, have worked tremendously hard to achieve Mountain Party ballot status. I represented Denise Giardina in the litigation challenging the primary voter screen out and served as co-counsel in the case which ultimately placed Ralph Nader on the ballot for the 2002 election.**

**Most of us do this work because we recognize that the current system is, in actuality, a one party system solely representing the interests of corporate America. It is my firm belief that if a progressive institutional change in this country occurs, it will only occur as a result of grass-roots political organizing -- similar to that which created the Mountain Party.**

**However, this fact does not require third-party loyalists to blindly cast our ballot in favor of any progressive (even one as righteous as Ralph Nader) who courts our support. Rather, we must always consider the context in which the third-party challenge is being waged.**

**Currently West Virginia, the United States, and the world is faced with one of the most reactionary, dictatorial, classist, racist, sexist, homophobic and xenophobic presidential administrations in modern history. The Bush administration has repeatedly demonstrated contempt for the United States Constitution, defied the rule of law both domestically and internationally, engaged in an imperialist war to gain control of Middle Eastern oil assets, ignored the United Nations, and cultivated through failed foreign policies hatred in the hearts of Palestinians, Arabs, Muslims (not to mention Cubans, North Koreans, Spaniards, French etc).**

**It is against this backdrop that one must weigh the costs and benefits of supporting Nader. Admittedly, I initially supported the Nader nomination, however, after more thought and reflection (and being called an idiot by some of my closest friends), it is clear that a Nader nomination is a terribly misguided idea.**

**I have read the comments on the listserv and website and the only argument which has merit is the idea that a Nader campaign will nudge, however slightly, Kerry to the left. Assuming, for the purposes of this debate (which is a huge assumption), that nominating Nader to the ballot in a few states will have this effect the question becomes, "Does the benefit of a marginal, leftward shift in Kerry's platform outweigh the risks?" I say NO.**

**The most obvious risk with horrendous consequences is that a Nader nomination will cost Kerry the presidential race. I do not subscribe to the notion that Nader cost Gore the election. Although Gore's campaign was less than stellar, it was the United States Supreme Court which appointed Bush and the people who elected Gore. To this day, I**

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still believe the 2002 Nader campaign was, from a third-party perspective, a success, but the fact is if Nader had not run Al Gore would be president.

This risk is most apparent in key states like West Virginia. In 2002, West Virginia, the state which elected Kennedy, voted for Bush. In 2004, West Virginians have a chance to play a significant role in ousting Bush. Considering this, we must take every precaution to assure that Kerry wins West Virginia even if it includes keeping Nader off the ballot. Do not mistake my remarks for that of a fan of Kerry, they merely represent the position of someone who genuinely fears four more years of the Bush regime.

It is for these reasons that I ask all those who support a Nader nomination to cast aside your third-party ideals for this one election (like I have done), bring many grains of salt to the ballot box, hold your nose and vote Kerry in 2004.

In Solidarity,

Jason Huber

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**Exhibit 73**

**Editorial, "Nader's Complaint," *Wall Street Journal* (Sept. 14, 2004).**

# **Nader's Complaint**

## **September 14, 2004**

We don't agree with Ralph Nader on much, and in July we defended Democrats for barring him from their Boston convention. But now some elected Democrats seem to be taking it too far by abusing their offices in order to keep Mr. Nader off the November ballot.

It's no surprise that Democrats are fighting to stymie their former ideological soul mate. Many blame Mr. Nader for defeating Al Gore in 2000 – never mind the Bill Clinton baggage that Mr. Gore had to tote – and they don't want a repeat. Party activists are running ads against Mr. Nader in swing states and have set up teams of lawyers to challenge his signature petitions in more than a dozen states. In Nevada, Democrats have contested 11,571 of the 11,888 Nader names. This is brass-knuckle politics for sure, but also perfectly legal.

The question, however, is whether some Democrats are misusing their official power as well. That's the charge leveled in a recent federal lawsuit filed in New York by several independent voters and the Committee for a Unified Independent Party – a nonprofit established in 1994 to encourage an independent political movement. The lawsuit names Democrats in West Virginia, Oregon, Illinois and Connecticut.

The fishiest situation involves West Virginia, where a state judge recently slapped down an unprecedented case brought by the state itself (rather than outside Democratic lawyers) to keep Mr. Nader off the ballot. President Bush won West Virginia with 51.9% of the vote in 2000, with Mr. Nader at 1.65%. Democrats have high hopes of winning back the state this year, so when the Nader campaign started gathering signatures it was no surprise they howled. What was curious was that those objecting were the very state officials charged with instituting fair elections.

That includes Secretary of State Joe Manchin, who's running for governor, as well as his fellow Democrat, Attorney General Darrell McGraw. After the Nader campaign submitted 23,000 signatures to get on the ballot – 10,000 more than necessary – Mr. Manchin's office validated at least 15,000, more than enough to put Mr. Nader in the race. But then a local lawyer filed a lawsuit challenging the petition, accompanied by intense political pressure from the Democratic Party.

Mr. Manchin ultimately reversed himself, saying he had "doubt" as to the "validity" of the petition. He handed it to Mr. McGraw, who promptly filed a lawsuit demanding that all the Nader signatures be tossed. What would require such extreme action? The AG's office argued that petition workers didn't show appropriate credentials, that they gave "inconsistent" answers to questions, and that they didn't display the petition appropriately.

The Nader lawyer in the case, Harold Kresky, explained to the local judge that of the 23,000 signatures obtained, only 32 people had actually complained about how they were gathered, and of those, only four signed the petition. He noted that the AG's lawsuit was

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unprecedented and the judge ultimately seemed to agree, calling the AG's writ "extraordinary" and ruling "the testimony of a half dozen citizens" wasn't enough to invalidate an entire petition.

We don't buy Mr. Nader's argument that a two-party system is by nature corrupt. But these Democratic tactics are only bolstering Mr. Nader's complaint -- not to mention giving him more incentive to campaign not just against the incumbent Mr. Bush, but also against Mr. Kerry.

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